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CONSERVATION LAWS
OF MARYLAND

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RELATING TO
WILD FOWL, BIRDS, GAME
and FISH



1918

PUBLISHED BY
CONSERVATION COMMISSION OF MARYLAND

Maryland. laws, statutes, etc.

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CONSERVATION COMMISSION OF MARYLAND



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<i>Name</i>	<i>Post Office</i>	<i>District</i>	
Richard S. Browning.	Oakland	Garrett, Allegany and Washington.	1st
Louis C. Etchison. . . .	Jefferson	Frederick, Carroll and Howard.	2nd
Thomas L. Lechliden. .	Silver Spring.	Montgomery, Prince George's and Anne Arundel below Severn.	3rd
Arthur B. Bateman. . .	Mt. Victoria. .	Charles, St. Mary's and Calvert.	4th
William A. Warns. . . .	Bel Air.	Baltimore City, Baltimore, Harford and Anne Arundel above the Severn.	5th
John Anderson	Cecilton	Cecil, Kent and Queen Anne's.	6th
James Temple	Denton	Talbot, Caroline and Dorchester.	7th
Wade H. Bedsworth. . .	Wetipquin . . .	Wicomico, Worcester and Somerset.	8th

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This pamphlet is published by the Game Department of the Conservation Commission of Maryland with the hope that we may have your co-operation in the enforcement of all the conservation laws of the State, especially those State and local laws relating to hunting licenses and closed seasons.

With a State-wide license system, a State-wide open season on upland game, a State-wide ducking law and a State-wide Bag Limit, there is now no excuse for violating the Game Laws of Maryland, and all public-spirited citizens are earnestly requested to use their power and influence in having these statutes strictly obeyed.

This pamphlet contains not only the State-wide laws, but also a resume of the more important local game laws now in force in the various counties.

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PART 1.

STATE-WIDE GAME LAWS

WILD WATER FOWL.

(Maryland Code, Article 99.)

2. LIMITS OF BLINDS. No person shall at any time, in, on, or over the waters of the State, shoot at or shoot any water fowl from any booby-blind, or artificial point erected at a greater distance than one hundred yards from the natural shore from which the same may be extended.

4. PENALTY. If any person shall violate any of the provisions of the three preceding sections, he shall be deemed guilty of a misdemeanor and shall pay a fine of not less than ten nor more than one hundred dollars, to be recovered by action of debt in the name of the State before a justice of the peace of the county where the offense is committed, or by indictment in the circuit court for said county.

6. ARRESTS. Any officer of the State Fishery Force, sheriff, constable or commissioned militia officer of the county wherein the provisions of this article relating to water fowl may be violated, who shall be satisfied either upon his own view or information received of any other person, whether on oath or not, that any one has violated the said provisions, is authorized and empowered to arrest and take into custody such person so offending, and the boatman or other persons found on board of the vessel, boat, float, canoe, or craft employed to convey such offender for the purpose of shooting at or killing wild ducks or wild fowl of any description contrary to the provisions of this article, and shall seize and take into his possession the said vessel, boat, float, canoe, or craft, and the gun or guns, ammunition and decoy ducks in the same or in the use or possession of the offender or offenders.

NOTE.—As to Sections 1, 3, 5, 8, 10 and 11, see Section 13, which supersedes all these sections.

13. SHOOTING FROM BOAT; SPECIAL PROVISIONS; ACTS 1916, CHAPTER 542. It shall be unlawful to purposely or unnecessarily disturb in the waters of this State, or to pursue, kill or shoot at any wild fowl in or from any boat of any description within the limits of the State of Maryland, or to pursue, shoot or gather any wounded or dead ducks, geese, swan or brant in any boat propelled by or equipped with sail or engines of any kind within the said limits.

And it shall be unlawful for the owner or owners of any boat propelled by or equipped with sail or engines of any kind, or of any share or interest in such boat, to use or permit the use of such boat for any of the acts above prohibited, or to loan or hire such boat at any time between the 15th day of October of any year and the 1st day of April in the then next ensuing year, to any person or persons without making due inquiry into the purpose of those applying for the use of such boat and becoming satisfied that those applying for the use of such boat intend to use the same exclusively for other purposes than the violations of the provisions of this act, and that such persons are not equipped with and do not place in such boats any guns or ammunition suitable for shooting wild fowl.

Each and every person on board of any boat by or from which wild fowl shall be unnecessarily disturbed or in which wild fowl shall be pursued, or from which wild fowl shall be shot at in violation of the provisions of this section, shall be deemed guilty of a misdemeanor, and upon conviction thereof each person convicted shall be fined not less than one hundred dollars nor more than two hundred dollars for each offense, and in the event of the non-payment of the fine, the person or persons so convicted shall stand committed to the county jail or the jail of Baltimore City until such fine and costs are paid, but such imprisonment shall not exceed sixty days for each offense, and in addition to such fine or fines all boats used by said offenders and the guns and paraphernalia found in or on such boats or in possession of such persons so convicted, or used in such violation of the provisions of this section, shall be adjudged confiscated and ordered to be sold and conveyed by

the officer making the arrest or sheriff of the City or county wherein the conviction shall be had. After deducting the cost of the arrests and trials of the persons so convicted, and of the custody, sale and conveyance of said boats, guns and paraphernalia, one-half of the fine and proceeds of sale of the confiscated property shall go to the deputy game warden, constable or other person who shall procure the conviction of any persons for violating the provisions of this section, and the remaining half shall be paid to the State Treasurer to the account of the State Game Protection Fund, to be used by the State Game Warden as may be provided by law.

If any such power boats or boats impelled by sail or engines of any description be found in or near the waters where wild fowl are then and there using or bedding, having on board guns or other paraphernalia commonly employed in the killing of wild fowl, or if any shots shall be fired from any such boat at or in the vicinity of wild fowl where bedded in the waters aforesaid, or if any such boat propelled by engine or sail shall be proven to have moved in the direction of such wild fowl so bedded, for the purpose of causing such wild fowl to fly from the place or waters in which they shall have been then and there bedded, such fact or facts, or any of them, shall be accepted as prima facie evidence of an intentional violation of the provisions of this Section on the part of each person on board of such boat, and of the ownership of such boat and of the guns and paraphernalia thereon by the persons so convicted; provided, first, that nothing herein contained shall be deemed to prohibit the proper use of duly licensed and authorized sneak-boats for shooting wild fowl, or duly licensed and authorized push-boats, or to prevent the towing of craft by power boats to and from the shooting grounds or to prevent shooting over or gathering wounded or dead wild fowl, in good faith, from boats propelled only by oars, and not equipped with either sails or engines, when so used within a reasonable distance from the shore; and provided, second, that any person or persons other than those convicted of violating the provisions of this section who may own in part or whole any boat, gun or

paraphernalia adjudged to be confiscated or ordered to be sold, as above provided, may intervene by sworn petition in the court of such conviction within ten days thereafter, and make claim to such boat or other property; and upon affirmative proof to the satisfaction of the court of such ownership and of the further facts that such owner or owners were, after making due inquiry as above required, in fact without knowledge or notice of any kind, direct or indirect, in advance of the use made or intended to be made of such boat, guns or paraphernalia, and did not, directly or indirectly, participate therein or connive thereat, and did not, in person or by agent, loan or rent or permit the use of such boat, guns or paraphernalia to any person or persons who, to his or their knowledge or information, intended or were likely to violate the provisions of this section, or who had heretofore pursued wild fowl on the waters of this State in boats and did not in person or by agent or employee act upon such boat as the operator or navigator thereof, then and thereupon the said court shall strike out the judgment of confiscation as to so much of said boat, guns or paraphernalia as the court shall from the evidence affirmatively find belongs to such bona fide innocent owner, and shall order the sale only of the remaining share or shares and interest in said boat, guns and other paraphernalia; provided, that nothing herein contained shall apply to sink-boxes nor to motor-boats running with the wind while shooting over decoys, nor to retrieving or shooting wounded wild water fowl which have been wounded over decoys, if said sink-boxes and motor-boats running with the wind while gunning over decoys or retrieving ducks wounded or killed over decoys occurs northward of a line drawn east and west from Turkey Point, in Cecil County, and Locust Point, in Harford County.

14. **CLOSED SEASON FOR WILD FOWL.*** It shall be unlawful to shoot at or kill any duck, goose, swan or brant within the limits of the State of Maryland, between the 15th day of March and the first day of November in each and every

*Federal law fixes open season for Wild Fowl, November 1st to January 31st, inclusive.

year, and it shall further be unlawful to have in possession any such duck, goose, swan or brant between the 25th day of March and the first day of November in each and every year. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$25.00 nor more than \$50.00 for each offense, and each duck, goose, swan or brant so shot at, killed or had in possession shall constitute a separate offense under this section; provided, however, that upon conviction the court or justice before whom such conviction shall have been had may in its or his discretion impose a single fine for each day or part of a day in which such violation of this section occurred, such fine to be not less than \$100.00 nor more than \$250.00 for every such day or part of a day. Acts 1916, Chapter 568.

15. SHOOTING ON SUNDAY PROHIBITED. OTHER RESTRICTIONS. It shall be unlawful to shoot any wild fowl on Sundays throughout the year, and it shall be unlawful to net or trap ducks in any manner at any time during the year in the State of Maryland, or to employ dynamite in any manner whatsoever for the purpose of capturing or killing any species of wild fowl; and it shall further be unlawful in said State to shoot at or kill any wild duck, swan, goose or brant at any time or in any manner with a rifle, or to fire a rifle in and about places where wild duck, swan, goose or brant are congregated. Any person violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty-five dollars nor more than fifty dollars for each and every offense.

16. FISHING; SUSQUEHANNA FLATS. It shall be unlawful to fish with nets or in any other manner on the Susquehanna Flats or in the waters of Romney Creek, in Harford County, between the fifteenth day of October and the first day of April. That part of the Chesapeake Bay and tributaries shall be known as the Susquehanna Flats which is contained within the following metes and bounds: All that portion of the Chesapeake Bay and tributaries lying south of a line drawn east from Concord Light House, in Harford County, to Carpenters Point on the western shore of Cecil

County, and north of a line beginning at the lighthouse on Turkey Point, in Cecil County, and drawn westerly to a point half a mile north of the northerly part of Spesutia Island; thence continuing said line still westward, but at no time approaching nearer than a half mile from the northern end of said Island and the adjacent mainland, until it reaches the Harford County shore at or near Oakington. Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty-five dollars nor more than fifty dollars.

17. SHOOTING AT NIGHT PROHIBITED. It shall be unlawful to shoot at or kill any wild fowl in the State of Maryland at night time in any manner, whether from the shore or otherwise. Any person found violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall pay a fine of not less than fifty dollars nor more than one hundred dollars for each and every offense, and if it shall be proved that any party charged with shooting at or killing wild fowl at night was at or about the place at which the shot was fired, and that such person had a gun in his possession on the night in question in the vicinity thereof, either reasonably prior to, at the time of or after the firing, such facts shall be deemed *prima facie* evidence of the violation of this section; provided, however, that it shall be lawful for any land owner or person having the permission of such owner to shoot and kill geese and swan at night on or from the shore of such owner.

18. SIZE OF GUN. No person shall at any time in this State shoot at or kill any duck, wild fowl, birds or game with big or swivel gun, or any gun other than such as can be easily raised to the shoulder and held horizontally at arm's length, and without a rest, and fired from that position by a person of ordinary strength and stature. Any person found violating the provisions of this section shall be guilty of a misdemeanor, and shall be fined not less than one hundred dollars nor more than two hundred dollars for each and every offense, and every gun which cannot be habitually shot from the shoulder in the

manner above indicated shall be confiscated and destroyed. If any person is found with such a described gun in his possession in the vicinity of ducks, birds or game, it shall be prima facie evidence of a violation of this section.

19. JURISDICTION OF JUSTICES OF THE PEACE; DISPOSITION OF FINES. Justices of the peace of Harford, Cecil, Kent and Baltimore Counties and Baltimore City shall have concurrent jurisdiction over all violations of the provisions of Sections 13 to 19 arising on the Chesapeake Bay and its tributaries north of a line drawn from the North Point Light to Tolchester Beach.

Any person convicted under Sections 14, 15, 16, 17 or 18, failing to pay his fine, the person so convicted shall stand committed to the county jail or the jail of Baltimore City until the fine and costs are paid, but such imprisonment shall not exceed sixty days for each offense. Any deputy game warden, constable or other person who shall procure the conviction of any person or persons violating the provisions of Sections 14, 15, 16, 17 or 18 shall receive one-half of the fine collected after the payment of costs, and the remaining one-half shall be paid over to the State Treasurer to the account of the State Game Protection Fund, to be used by the State Game Warden as may be provided by law.*

UPLAND GAME SEASONS.

20. CLOSED SEASON. PARTRIDGE, PHEASANT, WILD TURKEY WOODCOCK, RABBIT, SQUIRREL; COUNTIES EXEMPT. No person shall shoot, trap, catch or kill, or gun or hunt for any partridge or quail, English or Mongolian pheasant (closed for a period of years in Dorchester, Baltimore, Wicomico and Harford Counties, see Local Laws) American pheasant, dark neck Bohemian pheasant, pheasant or ruffed grouse, rabbit, wild turkey, woodcock or deer within the State of Maryland between the twenty-fourth day of December and the tenth day of November in any

*Sections 13 to 19, inclusive, were passed in 1916, Chapter 542.

year, exclusive of both dates. Nor shall any person shoot, kill or hunt for any squirrel between the twenty-fourth day of December and the twenty-fifth day of August or between the first day of October and the tenth day of November in any year, both dates exclusive. (Anne Arundel, Calvert, Charles, Prince George's, St. Mary's and Talbot Counties exempted as to squirrels. See table of open seasons on inside of back cover.) Nor upon Sunday or when the ground is sufficiently covered with snow to track the birds or game above mentioned. And there shall be a daily closed season on all the above enumerated game birds and game animals, with the exception of rabbits, between sunset and sunrise.†

20-A. WHEN PHEASANTS EXCEPTED. Nothing in Section 20 of this article shall prevent the propagation, raising or killing of domesticated, English or ring-necked pheasants where the said pheasants are hatched out and raised on the place where they are killed; provided, that said pheasants shall not be killed on grounds other than those owned by the breeders thereof, and nothing in this act shall permit the following of said pheasants beyond the boundaries thereof. Any person violating the provisions of this section shall be subject to the same penalty provided for violating Section 20. Acts 1914, Chapter 595.

21. PENALTIES. Any person convicted, before any justice of the peace of this State, for violating the preceding section (20) shall be fined not less than twenty-five dollars nor more than one hundred dollars and costs for each and every offense. And any deputy game warden, constable or other persons who shall procure the conviction of any person or persons violating the provisions of the preceding section shall receive one-half of the fine collected, and the remaining one-half of the fine shall be paid over to the State Treasurer to be credited to the account of the State Game Protection Fund. Provided, that any person who fails to pay any fine so imposed shall be committed to jail for not less than twenty-five nor more than sixty days.

†Squirrels in Dorchester County, September 1 to January 1. Upland Game in Dorchester County, November 10 to January 1. Acts 1918, Chapter 117. See also Acts 1918, Chapter 602.

23. **CLOSED SEASON; DOVES.** No person shall shoot or in any manner catch or kill in this State any doves between the twenty-fourth day of December and the fifteenth day of August following, under a penalty of not less than one dollar (\$1) nor more than two dollars (\$2) for each dove so shot, caught or killed. See Acts 1918, Chapter 439.

24. **CLOSED SEASON; SNIPE AND PLOVER.*** No person shall shoot or in any manner catch or kill in this State any snipe or plover between the first day of May and the fifteenth day of August in each and every year, under a penalty of not less than one dollar (\$1) nor more than two dollars (\$2) for each such bird so shot, caught or killed; provided, however, that this section shall not apply to Worcester County.

25. **CLOSED SEASON; REEDBIRD, RAILBIRD, ETC.** No person shall shoot or in any manner catch or kill in this State any waterrail or ortolan or reedbird, railbird or ricebird between the first day of November and the first day of September following, under a penalty of not less than one dollar (\$1) nor more than two dollars (\$2) for each such birds so shot, caught or killed.†

27. **PROHIBITS POSSESSION OR SALE OF BIRDS OR GAME DURING CLOSED SEASONS THROUGHOUT STATE.** No person shall have in possession, expose for sale, sell or buy any of the aforesaid birds or game animals, alive or dead, in said City of Baltimore, or in any of the aforesaid respective counties, during the aforesaid respective closed seasons or dates between which, in said city or counties, it is made unlawful, by the preceding sections of this sub-title, to shoot or have the same in possession, whether such birds or game animals so had in possession, exposed for sale, sold or bought, shall have been shot, or in any manner caught or killed in that county, or in any other county of this State, or in any other State, territory or country, under a penalty for the having in possession, exposing for sale, selling or buying of each such bird or game animal,

*Federal laws fixes open season for Plover, August 16 to November 30, and for Snipe, November 1 to January 31.

†Federal law fixes open season for reedbirds, September 1 to October 31, and for railbirds, September 1 to November 30, inclusive.

similar in amount, respectively, to that hereinbefore made and provided for the illegal shooting or having in possession of the same, but nothing in this section or the preceding sections contained shall be so construed as to prevent any person or corporation, from having in his or its possession, at any time, any live birds or game animals, for the purpose of stocking lands in this State.

SONG AND INSECTIVOROUS BIRDS.

28-A.* All wild birds other than game birds, both resident and migratory, in this State, shall be and are hereby declared to be the property of the State.

28-B. For the purposes of this act the following shall be considered game birds: Anatidae, or waterfowl, including brant, wild ducks, geese and swans; Rallidae, or rails, including coots (mudhens), gallinules, sora and other rails; Limicolae, or shore birds, including woodcock, snipe, yellow-legs and plover; Gallinae, including quail, partridges, ruffed grouse, wild turkeys, and pheasants; doves†; reedbirds (rice birds or bobolinks) and blackbirds. All other species of wild resident or migratory birds shall be considered non-game birds.†

28-C. No person within the State shall kill, catch or have in his or their possession, living or dead, any resident or migratory wild bird other than a game bird, or purchase, offer or expose for sale, any such wild non-game bird, after it has been killed or caught, except as permitted by this act.

28-D. No part of the plumage, skin or body of any bird protected by this act shall be sold or had in possession for sale, and this irrespective of whether said bird was captured or killed within or without the State.

28-E. No person, within the State shall take or destroy, or attempt to take or destroy, the nest or the eggs of any wild bird, other than a game bird, or have such nest or

*28-A to 28-M, New Sections Added by Act 1916, Chapter 385.

†Acts 1918, Chapter 439 restores doves to game list.

eggs in his or their possession, except as permitted in this act.

28-F. It shall be unlawful for any person or persons or any corporation acting as a common carrier, its officers, agents or servants, to ship, carry, take or transport, either within or beyond the confines of the State, any resident or migratory wild non-game bird, except as permitted by this act.

28-G. Sections 28-C-D-E and F of this act shall not apply to any person holding a certificate giving the right to take birds, their nest or eggs for strictly scientific purposes, as provided for in Section 28-II of this act, nor does it prevent any householder from keeping any resident or migratory birds in cages as pets, provided they are not kept for sale, barter or exchange, and that they shall not be shipped beyond the confines of the State.

28-H. Certificates may be granted by the State Game Warden to any properly accredited person of the age of twenty-one years or upwards, permitting the holder thereof to collect birds, their nest or eggs, for strictly scientific purposes only. In order to obtain such certificate the applicant for the same must present to the State Game Warden written testimonials from two well-known ornithologists, certifying to the good character and fitness of said applicant to be entrusted with such privilege, and must pay to said officer one dollar (\$1.00) to defray the necessary expenses attending the granting of such certificate, balance, if any, to the State Game Protection Fund. On proof that the holder of such certificate has captured or killed any bird, or taken the nest or eggs of any bird for other than scientific purposes, the certificate shall become void, and he shall be liable to a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100), or imprisonment of thirty (30) days, or both fine and imprisonment.

28-I. The certificates authorized by this act shall expire on the 31st day of December of the year issued, and shall not be transferable.

28-J. The English sparrow, starling, cooper's hawk, duck hawk, sharp-shinned hawk, and great horned owl, are not included among the birds protected by this act. This act does not prevent any person from killing crows or blackbirds on his premises if destructive to crops, provided that said birds are not sold or offered for sale or shipped out of the State.

28-K. Any person violating any of the provisions of this act, except Section 28-H, shall be guilty of a misdemeanor, and upon conviction before *any* justice of the peace, shall be liable to a fine of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00), for each bird, living or dead, or part of a bird, or nest, or set of eggs or part thereof killed or captured or possessed, in violation of this act, or be imprisoned in jail for not more than thirty (30) days, or suffer both fine and imprisonment.

28-L. All game wardens, sheriffs, constables or other officers shall have the duty of enforcing the provisions of this act.

28-M. All acts or parts of acts heretofore passed inconsistent with or contrary to the provisions of this act are repealed.

SIZE OF GUN, NIGHT SHOOTING, TRAPPING, FERRETS, POISON, DESTROYING EGGS AND NESTS.

29. GUN ONLY TO BE USED. No person shall at any time in this State shoot at or kill any of the birds or game animals permitted to be shot or killed under this sub-title, with any other kind of gun than such as is habitually raised at arm's length from the shoulder, under a penalty of not less than five dollars (\$5), nor more than twenty-five dollars (\$25) for every such bird or game animal so shot at or killed, and under a further penalty of not less than fifty dollars (\$50), nor more than one hundred dollars (\$100) for each offense, and every gun which is not so habitually fired from the shoulder, as aforesaid, shall be liable to seizure by any State or county officer authorized to execute warrants and the forfeiture

and destruction by any justice of the peace before whom such gun shall be produced. (See Section 18.)

30. NIGHT GUNNING PROHIBITED. No person shall in this State at any time shoot at or in any manner kill or catch, in the night time, any of the birds mentioned in the preceding sections of this sub-title under a penalty of not less than one dollar (\$1), nor more than twenty-five dollars (\$25) for each bird so killed or caught; and if at the trial it shall be proved that the person charged with shooting at or killing said birds in the night time was at or about the place where the shot was fired, and that he had a gun in his possession on the night in question, in the vicinity where such shooting occurred, either prior to or at the time of or after the shooting, such fact shall be deemed prima facie evidence of his having violated the provisions of this section. (See Section 17.)

31. SWIVEL GUN PROHIBITED. No person shall in this State at any time use or have in his possession, or sell or dispose of in any manner, any big or swivel gun, with the intent or for the purpose of shooting at or killing wild ducks, wild geese, wild swan, wild brant or other water fowl, under a penalty of not less than fifty dollars (\$50), nor more than one hundred dollars (\$100) for each offense, and the possession or sale or disposition by any person of any such big or swivel gun in this State shall be deemed prima facie evidence that the same is possessed or sold, or disposed of with the intent, and for the purpose of shooting at or killing such birds in this State, and every gun shall be deemed a big gun, for the purpose of this law, which is not habitually raised at arm's length and fired from the shoulder. (See Sections 18, 29 and 30.)

32. FRIGHTENING GAME. No person shall at any time in this State shoot at or do any act or thing whatsoever with the intent or purpose of frightening wild ducks, wild geese, wild swan, wild brant or other water fowl of any kind from their feeding or roosting grounds, under a penalty of not less than twenty-five dollars (\$25), nor more

than one hundred dollars (\$100) for each offense. (See Section 13.)

33. **FERRET NOT TO BE USED.** No person shall in this State, at any time, use any ferret or weasel for the purpose of hunting, capturing or killing any of the aforesaid game animals, under a penalty of not less than ten dollars (\$10), nor more than twenty-five dollars (\$25) for each offense, and under a further penalty of ten dollars (\$10) for each such game animal so captured or killed.

34. **DESTROYING NESTS OR EGGS.** No person shall in this State, at any time molest or destroy the nests or eggs of any of the aforesaid birds, except those of hawks or other birds destructive to domestic poultry and game birds, or those of English sparrows, crows and blackbirds, under a penalty of not less than one nor more than twenty-five dollars (\$25) for each offense. (See Section 28-E.)

35. **POISONING POULTRY.** No person shall kill or injure by poison any domestic poultry or any golden English or Mongolian pheasants, or any of the aforesaid game birds not the property of said person, but upon the premises of and belonging to some one else, under a penalty of not less than ten dollars (\$10), nor more than three hundred dollars (\$300).

36. **TRAPPING QUAIL.** No person shall trap, net or ensnare any partridge or quail, pheasant or ruffed grouse, wild turkey, woodcock or water fowl of any kind, or have in possession any trap, net or snare with the intent or purpose to capture or kill any such birds under a penalty of ten dollars (\$10) for every such bird so trapped, killed, netted or ensnared, and under a further penalty of fifty dollars (\$50) for the having in possession any such trap, net or snare, and every such trap, net or snare shall be forfeited and destroyed.

BAG LIMIT.

40. **BAG LIMIT.** It shall be unlawful for one person to kill more than twelve partridges (quail) in any one day, or more than two ruffed grouse in any one day, or more

than three English pheasants in any one day, or more than fifty rail in any one day, or more than fifty reedbirds in any one day, or more than twelve doves in any one day, or more than six woodcock in any one day, or more than ten rabbits in any one day, or more than ten squirrels in any one day, or more than ten jacksnipe in any one day, or more than 25 wild water fowl (ducks, geese, swan and brant) in any one day for each man on or connected with the outfit, not exceeding four men in number, each of whom shall have a gunner's license, or more than 15 yellow-legs in any one day, or more than five blackbreasted plover in any one day, or more than ten coots (crow bills) and gallinules in all in any one day, or more than four wild turkeys in any one season, or more than one deer per season, during the times when it shall be lawful to shoot such birds and animals.

Chapter 545 of Act 1916, which re-enacts Section 40 so as to read as above stated, further provides "that all laws or parts of laws, either local or general, inconsistent herewith, are hereby repealed, and that this act shall take effect from the first of June, 1916." This repeals a number of local Bag Limits.

41. PENALTIES. Any person violating the provisions of the preceding section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in the sum of five dollars for each and every partridge, pheasant, or ruffed grouse, English pheasant, dove, woodcock, packsnipe, rabbit or squirrel, and the sum of fifty dollars for each wild turkey, and one hundred dollars for each deer so killed in excess of the limits herein mentioned, and shall stand committed to the county jail, if said fine is not paid, for one day for each dollar of fine imposed, but not for a period of more than sixty days, any deputy game warden or constable or informer who shall procure a conviction under this and the preceding section shall be entitled to the half fine recovered, and remaining half shall be paid over to the Conservation Commission to the account of the State Game Protection Fund, to be used by the State Game Warden as may be provided by law.

GAME WARDENS AND DEPUTIES.

SEC. 44. STATE GAME WARDEN. The Conservation Commission of Maryland on the first Monday in June, 1918, and every two years thereafter shall appoint with the approval of the Governor of this State a game warden for the State whose term of office shall be for two years or until his successor be appointed. The said game warden shall receive a salary from the State for his services of eighteen hundred dollars per annum, and shall be entitled to an expense account not to exceed \$500 per annum for actual traveling expenses, and other expenses incurred in the discharge of his duties. The said game warden may be removed by the Conservation Commission of this State at any time upon proof satisfactory to them that said game warden is not vigorously enforcing the game or fish laws of this State, or is not a fit person for said position.

GAME DEFINED. The word "game" shall be taken to embrace deer, rabbit, squirrel, water-fowl (including brant, wild ducks, geese and swans), rail, coot, gallinule, woodcock, snipe, yellowlegs, plover, quail (partridge), ruffed grouse (pheasant), wild turkey, English Mongolian and dark-necked Bohemian pheasants, dove, reed-bird (rice-bird, bobolink) or blackbird, or any other birds or animals that are protected by a closed season. Acts 1918, Chapter 468.

SEC. 46. DEPUTY AND LOCAL GAME WARDENS. Whenever the game warden considers that it is necessary that he should have deputy game wardens appointed to assist him in more efficiently enforcing the game, wild life and fish laws of this state, he may apply to the Conservation Commission to commission such persons as he may designate to act as deputy game wardens in the counties and cities of the State, to enforce the game, wild life and fish laws of this State, and carry out all the provisions of this sub-title; such persons may be appointed for the whole State or for such counties or cities as the Conservation Commission shall designate. If the Conservation Commission approve such persons, they may appoint such persons deputy game wardens; such deputy game wardens shall not receive a salary from

the State, cities or counties, but shall be paid such compensation out of the State Game Protection Fund, as the game warden may agree with them, subject to the approval of the Conservation Commission. In similar manner there may be appointed local game wardens in any section or county of this State; such local game wardens shall not receive a salary, but shall receive as their compensation one-half of all fines derived from the prosecution of violators of the game and fish laws arrested by them. All deputy and local game wardens shall perform such other duties as the Commission may designate, including the guarding of the streams and waters of the State against pollution.

SEC. 47. WARDENS' COMMISSIONS. The Conservation Commission shall issue to each person so appointed as deputy or local game warden a commission, and transmit such commission to the clerk's office of the Circuit Court for the county in which the deputy game warden so appointed has his legal residence, or to the office of the Clerk of the Court of Common Pleas of Baltimore City, if residing in Baltimore City, and they may revoke and annul any such appointment at their pleasure. Acts 1918, Chapter 468.

48. OATH AND AUTHORITY. The game warden for the State and every deputy game warden shall, before entering upon the duties of his office, take and subscribe before the clerk of the circuit court of the county of which he is a resident, or if a resident of Baltimore City, before the clerk of the Superior Court of Baltimore City, the oath or affirmation prescribed by the sixth section of the first article of the Constitution of this State, which oath or affirmation shall be recorded in the clerk's office of such county or city. The game warden throughout the State, and also every deputy game warden so appointed, after the recording of the oath or affirmation to be by said game warden or deputy game warden taken as aforesaid, shall, in the county, counties, city or cities for which such deputy game warden may be appointed, possess and exercise all the authority and powers held or exercised by constables at common law and under the statutes of this State, and also all authorities and powers conferred by law upon policemen in the City of Baltimore or other cities of the State, as far

as arresting and prosecuting the persons for violating any of the fish and game laws of this State are concerned; and they are hereby vested with additional powers to arrest without warrants persons suspected or known to be guilty of violating any of the provisions of the game and fish laws of this State, and to forthwith take any and all such persons before the nearest justice of the peace to be dealt with in accordance with the provisions of the game and fish laws of the State. In the event of finding game or fish taken or had in possession contrary to the provisions of any of the game or fish laws of this State, upon the persons so dealt with, they shall proceed in the manner prescribed in Sections 52, 53, 54 and 55. The clerk shall only charge fifty cents for recording such oath or affirmation.

49. **BADGES.** The game warden and deputy game warden shall, when acting in his official capacity, except when on detective duty, wear in plain view a metallic shield with the words "Game Warden" or Deputy Game Warden," as the case may be, inscribed thereon. The metallic shield or badge provided for in this section is hereby declared to be the property of the State, and upon the termination of the commission of any deputy game warden as provided for by Section 50, it shall be the duty of said deputy game warden to forthwith return to the State Game Warden the said shield or badge and also transmit to him for cancellation and return to the executive department his revoked commission. In case of the failure of said deputy game warden to comply with the provisions of this section, by returning immediately to the game warden his badge and commission after notice as provided by Section 50, he shall be deemed guilty of a misdemeanor, and upon conviction shall be fined five dollars and costs by any justice of the peace of the county or city in which he resides, the said fine to be payable to the game warden. Acts 1914.

50. **DISMISSAL OF DEPUTIES.** Whenever the services of any deputy game warden shall no longer be required by the game warden, the game warden shall give a notice in writing to the effect to said deputy game warden and shall file the same in the office of the clerk where the oath of office of such deputy game warden shall be recorded, which

notice shall be noted by the clerk upon the margin of the record where such oath or affirmation is recorded, and thereafter the power of this deputy game warden shall cease and determine, and a copy of such notice shall be immediately served on such deputy game warden by the game warden and such service shall be by registered letter through the United States mails or by the sheriff of the county in which the commission of the said deputy game warden so removed shall be recorded.

RIGHT TO SEARCH.

(With or Without Warrant.)

52. **SEARCH WARRANTS.** If the game warden or any deputy game warden or police officer or other person has reason to believe that any person or corporation has in his or its possession, contrary to law, any bird, game as defined by Section 44, or fish, it shall be the duty of the game warden, or such deputy game warden or such police officer, and the lawful privilege of such other person, to go before any justice of the peace in the county or city in which the bird, game or fish may be, and make affidavit of that fact; said justice shall thereupon issue a search warrant against the person or corporation so complained of, directed to any constable of the said county or city, commanding him to proceed at once and search for said bird, game or fish and, upon finding the same, to seize and take possession of the same and keep it until further order by the justice. The said constable shall read said warrant to the owner or person in whose possession said bird, game or fish is supposed to be. Said warrant shall be returnable within not less than twelve hours nor more than twenty-four hours from the date thereof. Provided, that the game warden, or any deputy game warden, or other police officer may also without a warrant search any boat, car, box, locker, crate, or package, and any building, where he has reason to believe any bird, game or fish held in violation of law is to be found, and may seize any bird, game or fish so taken or held, and any bird, game or fish so taken or held, shall be disposed of by the game warden as he may deem advisable for the best interests of the State;

provided, however, that this section shall not authorize entering a dwelling house, or apply to birds, game or fish which are passing through this State under authority of the laws of the United States. Acts 1916, Chapter 386.

53. TRIALS; APPEAL. At the time mentioned in said warrant, said justice shall proceed to hear and determine whether said game or fish was in the possession of the person or corporation contrary to law; and if the said justice shall find that said game or fish was in the possession of the defendant contrary to law, then said justice shall enter judgment against the defendant and order sale of the game or fish so seized; but if the said justice shall find that the possession of such game or fish was not contrary to law then the judgment shall be that the same be returned to the person or corporation from whom the same was taken. An appeal to the circuit court for the county, or the Baltimore City Court, as the case may be, may be taken within two hours by the defendant from the judgment of the justice upon giving sufficient bond to cover the cost of the appeal and the value of the game or fish seized, to be determined by the justice.

54-5. SALE OF GAME OR FISH CONDEMNED; NOTICE REQUIRED; DISPOSITION OF PROCEEDS. In case of judgment and order of sale, as specified in Section 53, and in absence of appeal and the filing of a proper bond, as provided by said section, then said constable shall at once post two notices, one at the justice's door and the other at the place of sale, specifying in each notice the time and place of sale, not less than five hours from the hour at which the judgment was rendered, and also a description of the game or fish to be sold; and place of sale shall be at the most public place obtainable for the purpose. Said constable shall, at the time and place mentioned in said notice, sell such game or fish at public auction to the highest bidders for cash, and at once pay the proceeds of such sale to the justice; said constable shall give the purchaser a certificate of purchase in which shall be a particular description of the game or fish sold, together with the date of sale. If there has been no appeal, or if the judgment of the justice is affirmed on appeal, the said justice shall deduct his costs,

if not already paid, together with the constable's costs, which shall include a fee of 10 per centum of the amount of the proceeds of the sale for his services as auctioneer, and shall distribute the balance of such proceeds of sale or the ascertained value of the game or fish seized as secured by the bond, as follows: One-half shall be paid to the game warden, which shall be kept by him for his services, and one-half shall be paid into the county or city treasury for the benefit of the school fund.

IMMUNITY OF GAME WARDENS AND ASSISTANCE.

SEC. 56. ASSISTANCE FROM OTHER OFFICIALS. All sheriffs, constables and police officers and all the officers appointed by the Conservation Commission shall assist in enforcing the provisions of this Article, and shall have all the powers of a deputy game warden. The game warden and the deputy game wardens and any other officers shall not be liable for any damage or costs sustained by any person or corporation by reason of the wrongful seizure of game, wild life or fish under this sub-title; provided, however, that the enforcement of this sub-title shall in no wise prevent prosecution of persons or corporations for violations of the game, wild life or fish laws of this State. Acts 1918.

57. ASSISTANCE. Whenever the game warden shall require the assistance of the State Fishery Force he shall so advise the Conservation Commission, and if such request be approved, it shall instruct the Commander of the State Fishery Force to forthwith assist the game warden in the enforcement of the game and fish laws of the State. And whenever the game warden or the deputy game wardens shall require the advice and assistance of the State's Attorney and sheriffs of the several counties of the State or of Baltimore City, it shall be the duty of said officers to render the required assistance as in other State cases.

OTTER, RACCOON, MUSKRAT.

58. OTTER, RACCOON, MUSKRAT. It shall be unlawful for any person to trap, catch or kill any otter, raccoon or muskrat within this State, or have the same in his possession, if trapped, caught or killed within this State, between the first day of April and the first day of January in each year.

59. PENALTIES; COUNTIES EXCEPTED. Five dollars to twenty dollars for each animal illegally caught, killed or had in possession. Does not apply to Baltimore, Harford, Cecil, Charles, Howard, Anna Arundel, Caroline, Carroll, St. Mary's, Worcester, Garrett, Princee George's, Calvert, Allegany, Washington, Frederick, Montgomery and Queen Anne's Counties. See Local Laws, Part III.

PATUXENT AND TRIBUTARIES.

60-68. BOATMAN'S LICENSE TO CONVEY GUNNERS. Gun Clubs, etc. See Acts 1914, Chapter 315, page 479 and also Part 3, Local Laws, page—

EXPORT OF GAME.

74. EXPORT OF GAME PROHIBITED. It shall be unlawful to export or ship out from the limits of the State of Maryland any wild game, water fowls excepted; and it shall also be unlawful for any express Company or any common carrier, to knowingly accept any game, water fowl excepted, for shipment without the State. Provided, however, that any hunter who has obtained the necessary license to hunt within the State of Maryland, or any county thereof, shall be permitted to carry out with him as personal baggage, for own use and not for purpose of selling same, an amount of game killed by himself equal to one day's bag limit, upon exhibiting his license, if so required. Any game shipped to points within the limits of the State shall be plainly and conspicuously marked as game.

Any person or corporation violating the provisions of this section shall be liable to a fine of not less than twenty-five nor more than one hundred dollars for each and every offense, upon conviction before any justice of the peace of the State. (Acts 1916, Chapter 215.)

ELK AND DEER.

73. ELK AND DEER, PRESERVE FOR; LICENSE; PERSONAL PROPERTY, CLOSED SEASON FOR SIX YEARS FROM JUNE 1, 1916. That there be a closed season on elk and deer within the State of Maryland for a period of six years beginning June 1, 1916. Any person convicted before any justice of the peace of Maryland of violation shall be fined not less than \$25 nor more than \$100 for each and every offense. One-half of fine shall go to the informer or officer causing the arrest and conviction, unless such officer be a salaried game warden, and the other half to the credit of the State Game Protection Fund. (Acts 1916, Chapter 399.)

STATE-WIDE HUNTING LICENSE.

SEC. 75. HUNTING LICENSES. For the purpose of providing a fund for the payment of the expenses of protecting and propagating certain birds and animals, and preventing unauthorized persons from killing the same, no person or persons shall at any time hunt, pursue or kill in any manner any game as defined in Section 44 of this Article, without first having procured a license and the written permission from the property owner or tenant on whose property said person may be hunting, to so hunt, pursue or kill, and then only during the respective periods of the year when it shall be lawful to hunt, pursue or kill birds and animals. The said license shall be procured from the Clerk of the Circuit Court of any county or from the Clerk of the Court of Common Pleas of Baltimore City in the following manner, to wit:

HOW OBTAINED. The applicant shall fill out, sign and forward to the Clerk of Court a blank application to be furnished by the State Game Warden through the Clerk of said Courts, stating the name, age, color, height, color of eyes, and hair, occupation and place of residence of the applicant. Application for any such license may be made through the mails. The applicant, if a non-resident of the State of Maryland, shall pay to the Clerk of the Court in which he files his or her application, the sum of ten dollars (\$10) as a license fee; if a non-resident landowner, of any county, to the assessed value of five hundred dollars (\$500), he shall pay a fee of one dollar (\$1.00), which will entitle him to hunt in the county in which his lands are assessed, and if he shall desire a State-wide license he shall pay a fee of five dollars (\$5.00); and if a resident of the State of Maryland, the applicant shall pay to the Clerk of the Court of the county of which he is a resident, the sum of one dollar (\$1.00), which shall entitle him to hunt in the county in which he procures such license, and if he shall desire a State-wide license he shall pay a fee of five dollars (\$5.00), which said license may be issued by the Clerk of any Circuit Court or by the Clerk of the Court of Common Pleas of Baltimore City. The Clerk of the Court shall thereupon issue a license, to be supplied to the said Clerks by the State Game Warden, and the said license shall bear the signature of the State Game Warden, and shall be countersigned by the Clerk issuing the same, who shall at the same time fill out on a stub attached to the license blank, the name and address of the licensee and shall then detach said stub and mail same to the Conservation Commission. Such license shall be void on the first day of June of each year following the date of issue. In addition to the license fee so received the Clerk issuing the same shall collect and retain the sum of twenty-five cents (25c.) from each non-resident licensee, and the sum of ten cents (10c.) from each resident licensee for issuing the same, and shall deliver the license properly executed to the applicant in person or by mail without further cost. And no license shall be issued to any person under fourteen years of age, except upon the written request of the parent or guardian. Such license shall not be transferable, and if

used or presented by any person other than the person to whom it was issued, such license shall be confiscated by the State Game Warden, or any deputy game warden, constable or other officer who shall find such license being used.

ALIENS PROHIBITED. And no person not a citizen of the United States of America shall at any time hunt, pursue, kill or catch any wild animals or wild birds in this State, or have in his possession firearms of any kind. Acts 1918.

SEC. 76: LICENSE TO BE EXHIBITED. Every license so issued shall entitle the person to whom it is issued to hunt, pursue and kill the birds and animals herein mentioned, in any county within this State, for which the same is issued, or anywhere within the State if it be a State-wide license, at any time when it shall be lawful to hunt, pursue or kill such birds or animals, and no person to whom such a license has been issued shall be entitled to hunt, pursue or kill the birds or animals referred to in Section 44 without at the time of such hunting, pursuing or killing having such license and written permission from the property owner or tenant on whose property said person may be hunting in his or her possession, and, upon demand, exhibiting the same for the inspection of the State Game Warden, deputy game warden, sheriff, constable or other officer.

SEC. 77. EXEMPTIONS. The owners of farm lands, their children or tenants, or children of such tenants, shall without procuring such license, have the right to hunt, pursue and kill said enumerated birds and animals, during the open season for the same, on the said farm lands of which he or they are the *bona fide* owners, children of such owners, or tenants, or children of such tenants.

SEC. 78. CLERKS The Clerks of the Circuit Courts of the counties, and the Clerk of the Court of Common Pleas of Baltimore City, shall, on the first day of June, nineteen hundred and eighteen, and on the first day of each and every month thereafter, transmit to the Comptroller of this State all moneys received by them for licenses, after deducting the fees herein authorized; the said amounts so received by the Comptroller shall be placed to the credit of a separate fund to be known as "The State Game Pro-

tection Fund," and shall be disbursed by the said State Comptroller from time to time on warrants signed by the Conservation Commission of Maryland.

USE OF FUND. The moneys in said fund shall be used solely for the salaries and expenses of the State Game Warden and his subordinates, and for the protection and propagation of birds and game of all kinds, the Commission to make an equitable distribution of said funds among the counties of the State, in proportion to the amounts contributed to said fund by the respective counties. Out of said fund the State Game Warden shall pay the sum of fifty cents for each head of a bird-hawk or chicken-hawk actually killed in this State, to the person producing satisfactory proof of having killed said hawk within this State. The said Commission shall require the said State Game Warden to file an annual account with him, showing the entire receipts and disbursements of himself and all deputies, and exhibit vouchers therefor, and also shall require said State Game Warden to file an approved bond in the penalty of two thousand dollars (\$2,000) for the faithful performance of his duties, the cost of said bond to be paid out of said fund.

SEC. 79. PENALTIES. Any person found guilty of hunting, pursuing or killing any of the birds or animals referred to in this Act without having a license and written permission in his or her possession, except as herein provided, or of refusing to show said license and written permission when demanded by the State Game Warden or any deputy or local game warden, sheriff, constable or other officer, or violating any of the other provisions of this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof before a justice of the peace of this State, shall be fined fifteen dollars (\$15) for each and every offense and shall stand committed to the county jail or the Baltimore City Jail until such fine and costs are paid, but such imprisonment shall not exceed fifteen days for each offense.

DISPOSITION OF FINES. Any constable or other officer or person other than the game warden or deputy game wardens or officer under the Conservation Commission receiv-

ing compensation, who shall procure the conviction of any person for violating any provision or provisions of this Act, shall receive half of the fine recovered; the remaining half shall be paid over to the State Comptroller for the account of the State Game Protection Fund, to be used as herein provided. The total fines hereafter collected by the State Game Warden or any of the deputy game wardens who receive other compensation shall be paid into the State Game Protection Fund.*

GAME PENS.

SECS. 83. 84. 85. GAME PENS. It shall be unlawful for any person or persons to wilfully damage or destroy any game pen, fence or other enclosure used for the purpose of raising and propagating of game birds and game animals, constructed or maintained upon any land in this State by the owner thereof, or to wilfully poison, kill, wound, destroy, remove or steal any game birds or game animals, their young or their eggs, while kept or maintained within any such game pen, fence or other enclosure or to enter into any such game pen, fence or other enclosure, unless by and with the consent of the owner of the land on which such game pen, fence or other enclosure is kept or maintained.

Whoever shall violate Section 1 of this Act shall be liable, upon conviction thereof, to a fine of not less than fifty nor more than one hundred dollars and imprisonment in the House of Correction for a period of not more than six months.

The Justices of the Peace in the counties and the Police Justices in the City of Baltimore shall have jurisdiction to hear and determine all cases arising under this Act, sub-

*REPEAL OF OLD LICENSE LAWS.—Section 4 of Acts 1918, Chapter 468, provides that all general or local laws or parts of such laws inconsistent with the provisions of this Act, and all resident and non-resident hunting license laws now in force, whether general or local, be and the same are hereby repealed. EXCEPTION.—Provided that this Act shall not affect the present law relating to the killing of wild fowl and licensing of gunning rigs used in shooting wild fowl on the Susquehanna Flats. In case any section or provision of this Act shall be held unconstitutional or invalid, the same shall not be held to affect any other section or provision of this Act.

jeet to the right of the accused to pray a jury trial and have his case heard and determined in the Circuit Courts for the counties and in the Criminal Court of Baltimore City. (Acts 1918, Chapter 398.)

SYNOPSIS OF STATE-WIDE DOG LAW.

Acts 1918, Chapter 497.

Maryland Code, Article 81, Section 195. Provides on or before the first of July in each year the owner of every dog over six months old shall apply either orally or in writing to the county treasurer in which he or she resides, or to a justice of the peace, for a license for such dog, the cost of which shall be \$1.00 for males and \$2.00 for females. Kennel licenses, \$10.00 for each person having not over 25 dogs; \$20.00 for over 25 dogs. This shall be the only license required. License must contain date, number and description of dog. Void on the first of July after issue. County Commissioners shall furnish the treasurer or justice of the peace a metal tag with each license, tag to be affixed to dog's collar and kept on the dog, except when in kennel or when hunting with owner.

SEC. 196. County Commissioners shall prepare and furnish annually metal tags to the treasurer, or clerk to County Commissioners, also to justices of peace. Tags shall be of metal and have serial number corresponding with number on license. Such tag must have impressed thereon the calendar year. Tags furnished owners of kennels shall have the word "kennel" thereon. Lost tag may be replaced at a cost of 25 cents.

SEC. 197. Justices of the peace after having received and receipted for necessary blanks and tags may issue same. Justices of the peace retain a fee of 25 cents for issuing same. Justices shall report each month to county treasurer and keep records, etc.

SEC. 198. Any person may kill any dog pursuing, worrying, wounding or killing any poultry or live stock, or at-

tacking human beings, whether same bears a licensed tag or not. No liability on such persons for such killing. An unlicensed dog that enters a field or yard shall constitute a private nuisance, and owner or tenant, agent or servant may kill such dog while in said field or yard.

SEC. 199. Money received from licenses shall be kept by the treasurers of the counties and shall be used to pay damages for injury and loss to sheep, poultry or live stock. In the event there is not enough money within the county sufficient to pay all such damages, same shall be paid in the order of their presentation. Any fund over \$1,000 in the hands of the county treasurer, after all payment of claims at the end of each year, shall go to the public schools or roads.

SEC. 200. Any inhabitant of any county who has live stock so destroyed or injured may apply to a justice of the peace, who shall appoint three disinterested persons to appraise the damages, who shall report in writing the number, character and extent of injuries and the amount of damage under oath; and the owner shall make oath that the same had been destroyed by dog or dogs. The County Commissioners shall review said report and shall award such amount as they deem fair. If the owner of dogs doing damage be known, County Commissioners shall notify such owners to kill same immediately. If said owner kills said dogs he shall be exempt from further liability; if he refuses or neglects to do so, he shall be liable for said damages.

SEC. 201. Provides for a fine of not less than \$5.00, nor more than \$25.00 for violation of above sections.

THIS ACT DOES NOT APPLY TO BALTIMORE CITY.

NOTE.—The authority for enforcing this new law has been placed entirely in the hands of the county officials, and the Conservation Commission of Maryland and the game wardens have no power to enforce the provisions of this law. Its benefits, however, to game should be very great, and the Conservation Commission desires to give all those interested the contents of this law in order to assist the county officials in the enforcement thereof.

CONSERVATION COMMISSION.

PART. II.

STATE-WIDE FISH LAWS

FISH AND FISHERIES.

(Code Public General Laws, Article 39.)

HEAD OF BAY.

1. SEASON FOR CATCHING HERRING AND SHAD IN CHESAPEAKE BAY. No person except resident citizens of this State shall fix, set or stake out any sort of gill nets, either stationary or floating, or any device whatever, for the taking of herring and shad in the Chesapeake Bay at any time between the first of March and the first of June in each year; and any person so offending shall forfeit the vessel and tackle used in such fishing, and all the nets, apparatus and devices for taking fish, and also pay a fine of fifty dollars for each offense.

2. SEINE OR DRAG NETS; WHEN AND WHERE PROHIBITED. No person shall, from the tenth day of June to the first day of October in each year, fish with hauling seine or drag-net of any kind within the Chesapeake Bay or any of its tributaries lying northward of the following line, viz: Beginning at Still Pond, in Kent County, and drawn westward to Lego's Point, in Harford County.

3. PURSE NETS PROHIBITED ABOVE CERTAIN LINES. No person shall at any time be allowed to fish with purse-nets at any point in the Chesapeake Bay above or north of a line drawn east from Robin's Point, on the Western Shore, to Handy's Point, on the Eastern Shore of Maryland.

4. PURSE NET LICENSES (as amended, Acts 1917, Chapter 14.) No person shall fish with purse or buck nets within the State of Maryland south of the line drawn as aforesaid without first obtaining a license so to do from

the Comptroller of the Treasury, and then only from June 15th to November 1st of each year, and the applicant shall pay the sum of twenty-five dollars (\$25.00) for each and every purse or buck net owned and operated by him, whereupon the said Comptroller shall issue to such applicant a license or licenses to operate such purse or buck nets, and all moneys arising from said license shall be paid into the State Treasury to the credit of the Conservation Fund, and any person failing to procure such a license and violating this provision of this section shall be deemed guilty of a misdemeanor, and on conviction shall be subject to the fines and penalties imposed by Section 5 of this Article, and to the penalties imposed by the Statutes of Maryland for failure to procure licenses wherever required by law. It shall be unlawful to use a purse or buck net with a mesh less than three inches for the catching of food fish, and no license shall be issued by the Comptroller of the Treasury for the use of a purse or buck net with a mesh less than three inches, and it shall be unlawful to fish with purse or buck nets within any of the waters of this State for the purpose of catching menhaden or any other kind of fish for the manufacture therefrom of oil or guano, or for any other use than food; and any person or persons violating this provision shall upon conviction be subject to a fine not exceeding three hundred dollars, each day's illegal fishing to constitute a separate offense. Notwithstanding anything herein to the contrary, no one shall be permitted to use purse or buck nets in Chester River or any of the tributaries of the Chesapeake Bay within the limits of Baltimore, Queen Anne's, Anne Arundel, Harford and Cecil Counties. It shall be unlawful to use a purse net within one mile of the shores of Harford County, exclusive of Poole's Island.

5. PENALTIES AND FORFEITURES FOR VIOLATION OF ABOVE SECTIONS. Any person or persons violating any of the provisions of Section 2, upon conviction thereof before any justice of the peace of the county in which said section has been violated, shall pay a fine of fifty dollars, one-half of which shall go to the informer; and any hauling seine or hauling seines, drag-net or drag-nets, and the boat

or boats and material used in fishing the same are hereby declared to be forfeited; and the justice before whom said conviction and condemnation shall be had is authorized and directed to have said fishing apparatus sold by the sheriff or constable making said arrest to the highest bidder, and the proceeds, together with half the fine, after deducting the cost, shall be paid to the county commissioners of the county in which said offense shall be committed for the use of the school fund of said county.

6. **APPEALS.** Any person, on conviction, failing to pay the fine as prescribed in the preceding section, shall be imprisoned in the county jail of the county in which said offense shall be committed; provided, however, that any one so offending shall, upon conviction before any justice of the peace of the county in which said offense shall be committed, have the right of appeal to the Circuit Court for the county in which said offense shall be committed, under the same restrictions that govern appeals from the decisions of justices of the peace.

7-8. **FISH STAKES OR POLES IN UPPER BAY AND CERTAIN RIVERS PROHIBITED; PENALTIES.** No person shall place in the head waters of the Chesapeake Bay or in the Sassafraz, Elk, Bohemia, North East or Susquehanna Rivers or in any of their tributaries any stakes, piles or other thing for the purpose of attaching seines or nets thereto, with the view of taking shad or fish of any description; this not to apply to any portion of said bay below Poole's Island. Any person violating this section shall forfeit the seine or nets attached as aforesaid and the boats and materials used for fishing the same and shall also for each offense pay a fine of \$50.00. See local laws, Cecil County, which has a local law permitting pound nets in its waters from August 1 to June 10.

9-11. **PROHIBITS ANCHORING VESSEL IN ANY FISHERY IN UPPER BAY; PENALTIES; FORFEITURES.** (Text omitted, see Code.)

12. **PROHIBITS VESSELS SAILING THROUGH SEINES; DAMAGES; PENALTIES.** (Text omitted, see code.)

13-14. PROHIBITS FLOATS BEING ANCHORED SO AS TO INTERFERE WITH SHORE FISHERY; REGULATES HAULING SEINE FROM FLOATS; PENALTIES. (Text omitted; see Code.)

PATAPSCO.

15. FISH LADDERS IN PATAPSCO. The owners of all dams on the Patapsco River are required to make and keep, or cause to be made and kept, in repair proper fish ladders and have them placed on said dams, so as to afford to the fish in said river free course up and down said river.

16-17. PENALTIES FOR VIOLATION OF ABOVE SECTION; APPEAL. (Text omitted, see Code.)

SEVERN RIVER.

Acts 1916, Chapter 581. Unlawful to fish in Severn River or any tributary thereof with seine, net, weir or other implement or instrument, except hook and line. Penalty, \$20-\$100. Line from Greenbury Point to Horn Point marks mouth of Severn, for this law.

**PATUXENT.*

18. RESTRICTIONS ON FISHING IN PATUXENT RIVER AND TRIBUTARIES; PROVISOS. It shall not be lawful for any persons, other than bona fide resident citizens of Prince George's, Charles, St. Mary's and Calvert Counties, to take or catch fish in the waters of the Patuxent River and tributaries, with any seine, weir trap or other device, excepting only the hook and line; provided, that the provisions of this section shall not apply to such as shall obtain permission from the owners of the lands bordering on said waters to fish off and opposite their land or lands so bordering on said waters; and provided, that none other than bona fide resident citizens of said counties shall use, in any of the waters of said river that bind on Prince George's, Charles and Calvert Counties above the village known as Benedict, any seine, weir, or net more than seventy fathoms long and less than two inches square in the mesh.

*See also Part III.

19. EMPTYING SEINES UPON BEACH PROHIBITED. It shall not be lawful for any person to empty his seines upon the beach so as to leave the smaller fish to perish, but he shall empty the same in water of sufficient depth to enable such smaller fish to return to the waters for growth and maturity.

20. PENALTIES FOR VIOLATING TWO PRECEDING SECTIONS. Any person violating the provisions of the two preceding sections shall be fined not less than twenty-five nor more than one hundred dollars, in the discretion of the justice of the peace before whom the case is heard; which amount shall be appropriated to the public school fund of the county wherein such judgment is rendered; and for the payment of the amount of fine so adjudged, any boat, seine, weir or other fishing tackle used by any person in violation of the provisions of the two preceding sections shall be seized and held as security upon complaint against such offending party.

21. RESTRICTIONS; SEINE HAULING PATUXENT RIVER. It shall not be lawful for any persons, except bona fide residents of St. Mary's, Anne Arundel, Charles, Calvert and Prince George's Counties, to haul in the waters of the Patuxent River; between Sheriden's Point and Point Patience, any seine of greater length than sixty fathoms at any time between the first day of June and the first day of October following.

22. PENALTIES FOR VIOLATION OF ABOVE SECTION. Any person violating the provisions of the preceding section shall be deemed guilty of a misdemeanor, and upon conviction thereof before a justice of the peace for Calvert County, or before the Circuit Court for Calvert County, shall be fined a sum not less than twenty dollars nor more than fifty dollars; one-half thereof to be paid to the informer and the other half thereof to the county commissioners of said county.

23. FURTHER REGULATIONS; PATUXENT RIVER. No person shall stake down any seine or net entirely across the Patuxent River for the purpose of taking shad or herring;

nor shall any person whip, thresh or beat the waters of the Patuxent River with poles or any other instrument for the purpose of driving any fish within any seine or net; nor shall any person, except bona fide residents of Prince George's, Charles, St. Mary's, Anne Arundel and Calvert Counties, in fishing in the said river, between the fifth day of March and the fifteenth day of May, use any seine or net with meshes of less than one and one-half of an inch square; or during the rest of the year with any seine or net with meshes of a less size than two inches square; and no person shall empty any seine except in water twelve inches deep; and any person violating this section shall be subject to the fine and forfeiture provided in Section 20.

24. PROHIBITS ANCHORAGE NEAR FISHING SHORE IN PATUXENT. No vessel, float, raft or boat of any description, unless compelled to do so by stress of weather or other unavoidable accident, shall be anchored or stayed in the birth or haul of any regularly-hauled fishing shore in the Patuxent River and remain thus anchored for the space of half an hour when the weather will permit the departure of such vessel, raft, float or boat after being warned to depart therefrom by the owner or occupant of said fishery.

25-26. PENALTIES AND FINES FOR VIOLATION OF ABOVE TWO SECTIONS. Any person violating the preceding section shall pay to owner of said fishery a fine of twenty dollars for each offense, and every hour the vessel, float or boat continues after the half hour mentioned in the preceding section shall be considered a new and separate offense. The captain or owner of the vessel, float or boat referred to in the two preceding sections shall be liable to pay said fine, and the vessel, float or boat so anchored and stayed as above mentioned shall also be liable to be seized and sold to pay any fines imposed under the preceding section.

27. VESSELS SAILING THROUGH SEINE; PENALTIES. If any such vessel, float or boat shall be wilfully, wantonly and maliciously, or from gross negligence, sailed through any seine extended in any of said fisheries, the skipper,

captain or other person commanding such vessel, float or boat shall pay to the owner or holder of such seine not less than twenty nor more than one hundred dollars, at the discretion of the justice of the peace trying the case.

28. OBSTRUCTIONS TO FISHERY. If any person shall wilfully and maliciously put any stake, log, stone, ballast or other obstruction in the berth or haul of any fishery, he shall pay a fine not less than twenty nor more than one hundred dollars, at the discretion of the justice of the peace trying the case.

29. FURTHER REGULATIONS; FISHING IN PATUXENT. It shall not be lawful for any person, persons, corporation or corporations to set, place, construct or use any pound net, fyke net, trap net, sunken net or staked net of any kind, or any device of any kinds or description now known or hereafter to be invented for trapping or catching fish in any part of the Patuxent River from Queen Anne Bridge on said river down said river to a straight line drawn across the mouth of said river from Drum Point Light House, in Calvert County, to Hog Point, in St. Mary's County, nearer than 500 yards in every direction from any other net or device above mentioned or of the total length of any net or device above mentioned of more than 175 yards in length, including the leaders or hedges or wings thereof, below a straight line from Truman's Point Wharf, across said river, to a point on the shore directly opposite said wharf, or of a total length of more than 50 yards in said river above said straight line from Truman's Point Wharf or at a greater distance across the waters above mentioned from low water mark on either side; and be it further provided that whenever the word net, or the word device, is mentioned in this section it shall be held to include the leader or leaders, or hedge or hedges, or wing or wings, of said net or device; provided, however, that this section shall not apply to catching fish with hook and line, floating gill nets, purse nets or seines. Provided, that nothing in this section shall prevent anyone from capturing or destroying in any manner any German carp, or

leather carp, or any carp of any description or any size. (Acts 1918, Chapter 406.)

30. **SIZE OF MESH.** It shall be unlawful to use or haul any seine or gill net or purse net in any part of said river with a smaller mesh than that prescribed in Section 23 of this article, or at any other time than prescribed by said Section 23 or in any creek or tributary of said river less than two hundred feet wide at its mouth.

31. **PURSE SEINES PROHIBITED; EXCEPTION.** It shall not be lawful for any person to catch or take fish in the Patuxent River or any of its tributaries with purse seines, except for food purposes.

32. **PERMITS.** Any person wishing to catch or take fish in the Patuxent River with purse seines for food purposes shall make application to a justice of the peace in the county in which he resides for a permit and shall make oath before said justice of the peace that he is a resident of said county and does not intend to catch fish for the purpose of manufacturing into fertilizer or to put upon the land in a raw state, and all person or persons making a false oath shall be deemed guilty of perjury and subject to the penalty provided in case of perjury.

33-35. **ARREST OF OFFENDERS; FORFEITURES; TRIAL; PENALTY.** (Text omitted; see Code.)

POTOMAC.

36. **SHAD AND HERRING SEASON IN POTOMAC.** The fishing season for shad and herring in the waters of the Potomac River shall begin the fifteenth day of March and end the first day of June in each year.

37. **PENALTY.** If any person shall haul, drift, anchor or stake in the Potomac River, or any of its tributaries in the State, any gill nets or seine of any description (except those commonly called market seines for summer and winter fish, and sturgeon nets with eight-inch meshes), at any time not within the period fixed by the preceding section, he shall forfeit all the boats, seines and fixtures

then in his possession and be fined for each offense not less than fifty nor more than one hundred dollars.

38. REGULATIONS FOR HAULING SEINE. No person shall haul, drift or fish any seine or gill nets within the water bounds or berths of any regularly hauled fishing landing, nor opposite to any part of the shore of the owner or occupier of any such landing, within hauling distance from such shore, between the fifteenth day of March and the first day of June in each year, without the permission of the owner or occupier of such fishing landing; and any person so offending shall be subject to the forfeiture and fine prescribed by the preceding section.

39. ARREST OF OFFENDERS. The owners or occupiers of the regularly hauled fishing landings are authorized to render any sheriff or other officer assistance necessary to arrest any person violating any of the provisions of the two preceding sections; and the said officer shall seize all boats, seine and fixtures in possession of such person, and carry the person so arrested before some justice of the peace, to be dealt with as herein directed; and the said officer may summons the posse comitatus to aid him in making arrest or seizure authorized by this section; and may for that purpose also press, at the expense of the State, any steamboat or other vessel belonging to any citizen of this State not actually engaged in carrying the United States mail.

40. SEASON FOR CATCHING BASS IN POTOMAC. It shall not be lawful for any person to catch or kill any black bass, green bass, rock bass, pike or pickerel or wall-eyed pike (commonly known as salmon), between the fifteenth day of April and the first day of June of each year; nor catch or kill any of said species of fish at any other time during the year, save only with rod, hook and line or dip-net. The words "hook and line" shall not include trot-line or out-lines. This section is not applicable to Montgomery County.

41-2. PENALTIES; WHERE APPLICABLE. (Text omitted, see Code.)

43. **TRIBUTARIES OF POTOMAC.** It shall not be lawful for any person to catch or kill any black bass, green bass, pike or pickerel or wall-eyed pike (commonly known as salmon) in the tributaries of the Potomac River between the fifteenth day of April and the first day of June of each year, nor catch or kill any of said species of fish at any other time during the year save only with a rod, hook and line or dip-net.

44. **PENALTY.** Any person violating the provisions of Section 43 shall be guilty of a misdemeanor, and shall be punishable, on conviction, by imprisonment in the county jail not exceeding six months, or by a fine not exceeding two hundred dollars, or by fine and imprisonment.

45. **LOCALITIES EXEMPT.** The provisions of Sections 43 and 44 shall not be applicable below Little Falls, near Washington, and shall not apply to that part of the waters of the Monocacy River and its tributaries lying in Creagerstown and Woodsboro Districts, Frederick County, and Middlebury District, in Carroll County, from the bridge over the Monocacy River on the turnpike road leading from Woodsboro to Creagerstown, in Frederick County, to the head of the Monocacy River and its tributaries. (See Section 78.)

46. **OBSTRUCTING FISHERIES PROHIBITED.** If any person shall, during the months of March, April, May and June, place any boat, vessel or other obstruction or hindrance in the way of laying out or hauling any seine used in any lawful fishery on said river or its tributaries, or otherwise obstruct or hinder such laying out or hauling, and he or his agents shall fail or refuse forthwith to remove such obstruction or hindrance on being required to do so by the person so obstructed or hindered, he shall pay a fine of not less than twenty nor more than one hundred dollars.

47. **PENALTIES FOR VIOLATING ABOVE SECTION.** (Text omitted, see Code.)

48. **ANCHORAGE OF VESSEL.** Any owner or occupier of a fishery on the Potomac River may cause and permit all

vessels employed by him in carrying on his business to be anchored or moored opposite his shore, but not so as to interfere with the rights of the owners or occupiers of adjoining shores in laying out their seines.

49. LICENSE FOR SHAD AND HERRING. No person shall fish in the Potomac River or its tributaries for shad and herring during the season prescribed in Section 36 with seines, gill nets or nets of any kind, without having first obtained a license therefor, as hereinafter provided; and no person shall be entitled to obtain such license for fishing with a hauling seine who is not the owner or occupier of some fishing shore on said river; nor shall any persons be entitled to obtain such license for fishing with gill nets, except bona fide citizens of the counties bordering on said river.

50. HOW LICENSES OBTAINED. All persons entitled under the preceding section to fish for shad and herring in the Potomac River and its tributaries shall first obtain a license therefor, by application to the clerk of the circuit court for the county bordering on said river, opposite to, or in which he may desire to fish, which license shall have effect for and during the period fixed in Section 36; and the Comptroller of the Treasury shall cause to be printed and delivered to the several clerks of the circuit courts for the counties bordering on said river, the requisite number of such blank licenses, and take their receipts for the same, as for other licenses furnished; and said clerk shall, on the first Monday in June in each year, return to the said Comptroller a list and account of such licenses issued by them.

51. CONTENTS OF LICENSES. Every license to fish, as aforesaid, shall state the name and residence of the person to whom the same is granted, the description of the fishing fix to be used, whether hauling seine or gill net; the number of square fathoms of seine or net when rigged, and that he is the *bona fide* owner of the same; and every person to whom such license may be granted shall first pay to the clerk where granted three cents for each square fathom of seine, and one cent for each square fathom of gill net

to be used; but no license shall be granted to any one applying for the same unless such applicant shall make oath before the clerk authorized to issue the same, or before some justice of the peace of the same county, upon whose certificate the clerk may issue said license, that the number of square fathoms of the seine or net to be used, and the other facts to be inserted in said license, are strictly true, and that he will obey and comply with all the provisions of the laws of this State regulating fishing in the Potomac River; and for each and every outfit, whether of hauling seine or gill net, a license shall be required.

52-56. FISHING IN POTOMAC WITHOUT LICENSE PROHIBITED; NUMBER OF LICENSE TO BE PAINTED ON BOAT; ARRESTS FOR VIOLATION; FORFEITURES; PENALTIES; DISPOSITION OF FINES. (Text omitted, see Code.)

57. FISHING FROM ARKS, LIGHTERS OR FLOATS PROHIBITED; PENALTIES. It shall be unlawful hereafter for any person to fish in the Potomac River from what are known as arks or lighters, or from any kind of vessel or float, by whatever named called, in or upon which persons may live or may exclusively occupy; but all such fishing shall be with and from regular seine or gilling boats. (Penalties prescribed, see Code.)

59-B (Art. 39.) REGULATIONS FOR FISHING AND CRABBING IN POTOMAC. Any citizen of Maryland or Virginia desiring to fish for market or profit with a pound net, fyke net, gill net, haul seine, sturgeon net, skirt net, weir or other device in the waters of the Potomac River, shall first apply to the regularly constituted officer, as determined by the laws or regulations of the State of which he is a resident, and in the district or locality in which said applicant resides, except that the applicant for license to fish with the fixed device shall apply to the officer of the district or locality in which such fixed device is proposed to be located for a license, and state on oath the true name or names of the person or persons applying for said license; that they are and have been for twelve months next preceding residents of the State in which such application has been made; the place at which the net, seine, fyke, weir or other

device is to be fished, and that during the period of the license he will not violate any of the laws of the State in which he resides in relation to the taking and catching of fish; provided, nothing in this section shall apply to any person using a net solely for the purpose of supplying his own table. Such oyster inspector or other authorized officer shall thereupon grant license to use such net or other device, and state in such license the name or names of the person or persons who shall use the same, the place at which it is to be located or used, the season for which said license is granted, which season shall begin on the first day of February in any year and end on the thirty-first day of January of the year following, and the amount of tax as prescribed by the laws of the State where issued.

Any citizen of either Maryland or Virginia desiring to take or catch crabs from the waters of the Potomac River by any method, or any person desiring to engage in the business of buying crabs for picking or canning or shipping the same, shall pay to the oyster inspector or other designated official in the district in which he resides such specific license tax as is prescribed by the State of which he is a resident.

If any person shall use or set, or cause to be used or set, any such net or seine as aforesaid, or shall take or catch crabs in the waters of the Potomac River within the jurisdiction of the State of Maryland or Virginia without having first paid the tax and obtained the license provided for under the laws of the State in which such net is set or crabs are taken, he shall be deemed guilty of a violation of the provisions of this section, and shall, for each such violation, be fined not less than ten dollars nor more than two hundred dollars, and shall forfeit to the State such net or other fishing devices used in said violations.

It shall be unlawful for any person to use a haul seine or pound net, head or pocket having a smaller mesh than two inches, stretched measure, for the purpose of catching food fish. Any net having a funnel mouth, round mouth, or square mouth, with head above water, shall be construed as a pound net. Any person or persons using a net in violation of this provision shall be fined not less

than ten dollars nor more than one hundred dollars for each offense, and such net or nets shall be forfeited to the State. Acts 1912, Chapter 4.

BOUNDARY LINE, MARYLAND-VIRGINIA. By joint resolution No. 5, which appears in the Acts of 1916 at page 1678, the Conservation Commission of Maryland as successor to the Board of Shell Fish Commissioners and the Commander of the State Oyster Navy are "authorized and directed to mark and maintain with buoys placed at intervals of not more than one mile apart the line between the waters of the State of Maryland and the waters of the State of Virginia from Cedar Straits in Pocomoke Sound to Williams Point in Pocomoke River."

This work was performed by the Commissions of the States of Maryland and Virginia. See Joint Report of Engineers Earle and Ruediger submitted December, 1916, and printed in First Annual Report of Conservation Commission of Maryland, pages 50-61.

RIVERS IN TALBOT, DORCHESTER AND CAROLINE.

60. FISHING REGULATIONS. No person shall take or catch fish in the waters of Talbot, Dorchester or Caroline Counties except the citizens of said counties, and except such residents of this State as may obtain the permission of the owner or occupier of land bordering on any of the said waters; provided, that any person so obtaining permission shall not employ in his service any other than a bona fide resident of this State.

61. PENALTY. Any person violating the preceding section shall pay a fine of not less than five nor more than fifty dollars, and forfeit the boat or vessel in his possession, together with the seine, tackle and all things on board at the time the offense may be committed.

WYE RIVER AND RIVERS IN QUEEN ANNE'S AND KENT COUNTIES.

62. **SEINE HAULING WITHOUT SHORE-OWNER'S PERMISSION PROHIBITED.** If any person shall haul a seine in Wye River, or any of the rivers of Queen Anne's or Kent Counties, without the permission of the owner or occupant of the shore where such seine may be hauled, such owner or occupant may seize, by way of distress, the seine, boat, tackle and everything on board the boat, and may have the damages sustained by him by reason of such hauling of a seine ascertained by a justice of the peace or by three citizens to be summoned and sworn by a justice of the peace; and when the damages are so ascertained the owner or occupant of such shore may have the seine, boat and articles so distrained appraised and sold to pay such damages.

FINES, PENALTIES AND FORFEITURES.

63-71. **PENALTIES; ARRESTS; PROCEDURE; FORFEITURES; PROCEEDS; SALES; DISPOSITION OF FINES; COMMITTALS.** (Text omitted, see Code.)

TROUT AND OTHER FISH.

72. **SEASONS FOR CATCHING TROUT.** It shall not be lawful for any person to take, catch or kill any speckled brook trout, or any speckled river trout, save only with a hook and line, or to have any such trout in his possession, except during the months of April, May, June, July and the first fifteen days in the month of August, under a penalty of five dollars for each trout so caught or had in his possession; but this section shall not prevent any person or corporation from catching trout in any manner or at any time in waters owned by him or them, or upon his or their premises to stock other waters. (The Act of 1916, Ch. 404, permits the catching of brook trout in the waters of Frederick County with rod, line and hook from March 31st to July 1st.) (Several local exceptions.)

73. REGULATIONS. It shall not be lawful for any person within this State to take or catch any brook trout at any time in any of the waters of the State by means of any fish-basket, seine or seines, net or nets, trap or traps, under a penalty of five dollars for each and every fish so taken.

74. POISONING FISH. No person shall place in any fresh water stream, lake or pond, without the consent of the owner, or in the waters and estuaries with the rivers debouching into them, any lime or other deleterious substance, with the intent thereby to poison or catch fish, under a penalty of one hundred dollars.

75. ARTIFICIAL PONDS. Whenever any person who owns, controls or erects an artificial pond upon his own land, or land of which he is in legal possession, shall put therein any fish, or the eggs or spawn of fish, for the purpose of breeding and cultivating fish, and shall give notice thereof, either in one or more newspapers of the county, or by written or printed handbills put up in public places near said pond, any person who shall thereafter enter upon such premises, without the consent of the owner, for the purpose of fishing, or shall catch in said pond or ponds and take therefrom any fish, shall be guilty of a trespass, and, in addition thereto, shall be liable to a penalty of five dollars for the first fish, ten dollars for the second, and twenty dollars for the third and each subsequent offense.

76. TROUT FISH CULTURE. Any person or company engaged in the increase of brook trout by artificial process (known as fish culture) may take from his or their pond or ponds in any way, and cause to be transported, and may sell any brook trout and the spawn of brook trout at any time; and common carriers may transport them, and dealers may sell them on condition that the packages thereof so transported are accompanied by a certificate from a justice of the peace, certifying that such trout are sent by the owners or agents or parties so engaged in fish culture; and such person or company may take, in any way and at any time, upon the premises of any person,

under permission of the owners thereof, brook trout to be kept and used for artificial propagation only, and for no other purpose.

77. PROSECUTIONS. Violation of any of the provisions of the five preceding sections may be prosecuted by any citizen of the county in which said violation shall take place, before any justice of the peace or circuit court for said county; funds paid as penalties shall be equally divided between the informer and the public school commissioners of the county, for the benefit of the public schools in the district where the offense is committed.

78. SEASON FOR BASS AND OTHER FISH. No person shall catch or in any manner take or kill in any waters of this State, above a point where the tide ebbs and flows, any black bass, pickerel or pike perch, otherwise known as wall-eyed pike, and California salmon, between the first day of April and the fifteenth day of June, both inclusive, in each and every year, in any manner whatsoever, nor at any time, save only with rod, line and single hook, baited with natural bait, or tied with artificial fly, or with a spoon or spinner, each equipped with a single hook, or of any size less than eight inches, measuring in the case of each fish from the tip of the nose to the end of the caudal fin or tail, under a penalty of five dollars (\$5.00) for each fish so unlawfully caught, taken or killed.

79. SIZE OF FISH. No person shall catch or in any manner take or kill in the said waters thereof at any time any white or yellow perch of any size less than seven inches in length, or any pike less than fourteen inches in length, or any rock, otherwise known as striped bass, less than ten inches in length, or any tailor less than eight inches in length, or white catfish under seven inches, or any sturgeon weighing less than twenty pounds, or any rock weighing over twenty pounds, in spawning season of April, May and June, measuring, in case of fish, from the tip of the nose to the end of the caudal fin or tail, excepting haul seines during the time between April first and June twelfth. Acts 1910, Chapter 255.

80. OBSTRUCTING STREAMS. No person shall, in this State, in any manner or at any time, so obstruct any stream above where the tide ebbs and flows in which trout or other fish have been placed by the State or national government so that said fish shall not have free access up and down said stream, under a penalty of not less than ten dollars (\$10), nor more than twenty-five dollars (\$25) for every such offense.

81. FISH LADDERS. Every owner of a dam or dams upon any of the said waters of this State is hereby required to make and keep in repair, or cause to be made and kept in repair, and placed upon said dam or dams at least one fish ladder of such character as to enable fish to have a free course up and down said waters at all times under a penalty of not less than twenty-five dollars (\$25), nor more than one hundred dollars (\$100) for each and every offense; provided that one-half the cost of constructing said fish ladders, upon dams in Harford County now in existence, shall be borne by the county commissioners of said county.

82. THROWING EXPLOSIVES IN FISH WATERS PROHIBITED; EXCEPTION; PENALTIES. No person shall place, throw or make use of in any of said waters, except from *bona fide* engineering, milling or mining purposes, any dynamite or other explosive substance, or any lime, poison, acid, sawdust, shaving or other substance whatsoever deleterious to or destructive of fish life, under a penalty of not less than one hundred dollars (\$100), nor more than three hundred dollars (\$300), or imprisonment in the penitentiary for not less than one year nor more than three years, or be both fined and imprisoned in the discretion of the court; provided, however, that nothing in this section shall apply to sawmills now in operation until October 1, 1903, unless said sawmill or mills shall in the meantime change its or their location; and further provided, that any sawmill or mills moving from its or their present location, shall be considered a new mill or mills, and shall be subject to the provisions of this section.

82-A. POLLUTION PROHIBITED; PENALTIES (Act 1917, Chapter 14.) Whenever any watercourse, well, spring, open ditch, gutter, cesspool, sewer, private or public, drain, privy-pit, pigpen, or other place, or any accumulation or deposit of waste or other offensive or noxious matters discharged from any house, building, trades establishment or manufacturing place, or any waste from any vessel, shall become or dangerously threaten to become deleterious to or destructive of fish or shell-fish life, or the propagation, cultivation or conservation thereof, or to their safety as human food, or in any manner a menace to said fish or shell-fish whether private or public property, in any waters of the State, the Conservation Commission of Maryland shall forthwith investigate the matter, and if it be so found shall serve a notice in writing on the person, firm or corporation, by whose act, default or sufferance such condition may arise or continue, requiring the abatement of the same within a time to be fixed by the Commission and to be specified in the notice, under a penalty of not less than one hundred dollars, nor more than three hundred dollars, or imprisonment for not less than one year nor more than three years, or be both fined and imprisoned, in the discretion of the Court. It shall be construed as a separate and distinct offense for each day the nuisance is permitted to continue after the expiration of the time limit set forth in the notice for the abatement of such nuisance, provided, however, that nothing herein contained shall be deemed to alter, change, modify or restrict the jurisdiction of the State Board of Health of Maryland; provided, however, that the provisions of this section shall not apply to the Sewerage Disposal Plant of any city, town or county in this State. (Acts 1917, Chapter 8, provides: Every person, his aiders and abettors, who knowingly and wilfully poisons, defiles or in any way corrupts or contaminates the waters of any well, spring, brook, lake, pond, stream, river, reservoir or other source of water supply, or any tributary thereof, used or usable for drinking or domestic purposes, by means of disease germs, bacteria or the insertion of any other poison or poisonous matter therein, or attempts so to do * * * shall be guilty of a felony and upon conviction shall be subject to imprisonment in the penitentiary

for not more than twenty years, in the discretion of the court.)

83. **EMPTYING NET OR SEINE UPON BEACH PROHIBITED; EXCEPTION; MINIMUM SIZE CERTAIN FISH.** No person shall at any time empty any seine or net of any description whatsoever upon the beach, shore or land bordering upon any of the waters of this State, or in the waters bordering on said beach, shore or land where the water is less than twelve inches in depth, except that in the waters of the Chesapeake Bay, above Poole's Island, seines or nets may be landed upon the shore or upon the flats; and no person shall at any time so empty any such seine or net as to leave to perish upon the beach, shore or land, or upon any boat or float, any white or yellow perch of any size less than seven inches in length; or any rock fish, or striped bass, less than ten inches in length; or any tailor of any size less than eight inches in length; or any pike of any size less than fourteen inches in length, measuring in each case for each one of said fish from the tip of the nose to the end of the caudal fin or tail; or any sturgeon weighing less than twenty pounds; or any rock weighing over twenty pounds, in spawning season of April, May and June; but every person so using any seine or net of any description, or hook and line, shall immediately cull over and return to waters where same is not less than twelve inches deep, all of the aforesaid fish therein captured of any size than the aforesaid lengths, or any sturgeon weighing less than twenty pounds; provided, further, that nothing in this section contained shall prevent any one from capturing and destroying in any manner, save only by the way prohibited by Section 82, any German carp, or leather carp, or any carp of any description whatsoever, of any size.

84. **PROSECUTIONS BEFORE JUSTICES OF THE PEACE; DISPOSITION OF FINES IMPOSED.** All justices of the peace of this State in and for the city or county wherein the offense shall be committed shall have jurisdiction to hear and determine all prosecutions for the purpose of enforcing fines and penalties collectible under the provisions of

Sections 78 to 86, and all such fines and penalties are hereby expressly made subject to the provisions of Section 8 of Chapter 293 of the Acts of the General Assembly of Maryland, passed at the Session of 1896; and in all cases where such prosecutions are begun or instituted by any person other than the State game warden, or one of his deputy game wardens of this State, and shall result in the collection of a fine or fines, then one-half of such fine or fines, after the proper court costs, or costs of the magistrate in convicting the offender shall have been paid, shall be paid to the informer, and the other half to the school fund of the city or county in which said prosecution is conducted. It shall be unlawful for any person or persons in any manner to throw or cause to be thrown any slab of timber or other substance across or into any stream, under a penalty of two dollars (\$2) for each fish so caught, taken or killed.

85. SALE OF CERTAIN FISH PROHIBITED. No person shall, in this State, sell or expose for sale, or buy any white perch, yellow perch, rock or striped bass, tailor or pike under size mentioned in Section 83, or any sturgeon under weight as limited in said section, where the fish so offered for sale, or bought, contain over ten per cent. of fish under size or weight, whether such fish so exposed for sale, sold or bought shall have been caught, trapped or in any other manner taken or killed in the State of Maryland or in any other State or county, under penalty for exposing for sale, selling or buying of such fish, as provided in Section 83, for catching said under-size fish; but nothing in this section contained shall be so construed as to prevent any of the fish commissioners of this State, in pursuance of their capacity as a fish culturist, or any other person or corporation which shall first obtain a certificate in writing from the State Game Warden to the effect that such persons or corporations are engaged in the scientific culture or propagation only; and to obtain said certificate said persons or corporations must file with the State Game Warden an application and affidavit to the truth and bona fides thereof, made by the person or officers of the corporation requesting the same, and taken before any officer

competent to administer an oath in this State, and said affidavit and application shall be retained and kept on file by said State Game Warden. Acts 1910, Chapter 255.

86. APPLICATION OF FISH LAWS. All acts and parts of acts, and all sections and parts of sections of the code, both general and local laws, and all amendments of and additions and supplements thereto, now in force in the State of Maryland inconsistent with the provisions of Sections 78 to 86, with the exception only of Chapter 427 of the Acts of the General Assembly of Maryland, passed at the session of 1896, are hereby repealed. Acts 1916.

87. CATFISH AND EELS. It shall be lawful to take catfish and eels in any of the waters of the State of Maryland in any manner during the months of September, October, November and December in each year. Acts 1910, Chapter 286.

88. PENALTIES FOR VIOLATION OF CERTAIN SECTIONS. Any person violating any of Sections 79, 83, 85, or 95 shall be guilty of a misdemeanor, and upon conviction thereof shall be fined the sum of twenty-five dollars nor more than one hundred dollars for each and every offense, and shall stand committed to the county jail if said fine is not paid for one day for each dollar of fine imposed, but not for a period of more than sixty days. Any deputy game warden or constable or informer who shall procure a conviction under said sections shall be entitled to the half fine received, and remaining half shall be paid over to the State Treasurer to the account of the State game protection fund, to be used by the State game warden for the protection of fish in waters of the State as may be provided by law.

89. CLERK'S DUTIES TO ACCOUNT FOR MONIES RECEIVED FROM LICENSES, FINES, ETC. (Text omitted, see Code.)

90. PROVISIO. This article shall not apply to those persons who take fish by hook or line, commonly known as anglers.

96. **EXPLODING DYNAMITE TO CATCH FISH.** It shall be unlawful to explode any dynamite or other substance of like explosive nature in the waters of the Chesapeake Bay, or any of the tributaries thereof, within the limits of the State of Maryland, for the purpose of taking or catching fish thereby.

97. **PENALTIES.** Any person violating the provisions of the foregoing section, upon indictment and conviction for the same in any Circuit Court for the county, or Criminal Court of Baltimore wherein the offense may have been committed, shall be fined not less than three hundred dollars and the cost of prosecution; and upon failure to pay the same shall be confined in the House of Correction for not less than one year.

98. **DISPOSITION OF FINES.** All fines collected under the two preceding sections shall be paid one-half to the informer and the other half into the treasury of the State of Maryland.

CHESAPEAKE BAY.

110. *†**FISH LICENSES.** Any person, firm or corporation desiring to engage in the business of taking or catching fish for sale, by the use of pound nets, fykes, haul seines or other contrivances, except hook and line, within the waters of the Chesapeake Bay, below Poole's Island, and within the jurisdictional limits of the State of Maryland, shall first obtain by application to the clerk of the circuit court for the county wherein he may reside, or the Clerk of the Court of Common Pleas of Baltimore City, a license therefor, and such license shall have effect from the first day of February, in the year in which it may have been obtained, to the first day of February, inclusive, next succeeding; and provided further, that such license shall not authorize the taking or catching of fish, except with hook and line,

*The Act of 1914, Chapter 556, provides that for a period of ten years it shall be unlawful to catch, kill, take or have in possession any sturgeon in the waters of the Chesapeake Bay or tributaries.

†The Act of 1914, Chapter 279, requires non-residents of Maryland to take out licenses for nets used in fishing in the waters of the Atlantic Ocean within the jurisdiction of Maryland in Worcester County.

within the jurisdictional limits of any county or counties of this State.

111. CONTENTS OF LICENSES; LICENSE FEES; EXCEPTION. Each and every license to catch or take fish for sale under the provisions of Section 110 shall state the name, age and residence of the person to whom the same is granted, and every applicant for such license shall pay to the clerk of the circuit court for the county, or the Clerk of the Court of Common Pleas of Baltimore City, when such license shall be granted and before the delivery of the same, the sum of five dollars for the first license, and the sum of one dollar for each and every additional net, haul seine or other contrivance to take or catch fish for sale in the waters of the Chesapeake Bay, and the sum of two dollars for each license to take or catch fish for sale in the tributaries of the Chesapeake Bay; the clerk to receive the sum of twenty-five cents for each and every license so issued, as a fee for issuing the same, including the administering of the oath when required; and the said amount of license received for issuing same shall be paid over by the clerk into the Treasury of the State of Maryland, to be credited to the "Oyster (now Conservation) Fund;" provided that the provisions of this section shall not apply to nor include purse, fyke and hoop, buck or gill nets, nor to hook and line, that nothing in this section shall apply north of a line drawn from Ricketts Point to Love Point.

112. OATH REQUIRED. Every applicant for license to take or catch fish for sale under the provisions of this article, shall be required to make oath or affirmation before the clerk authorized to issue the same, or before some justice of the peace, on whose certificate of the taking of such oath or affirmation the clerk shall issue said license, that "the facts set forth in said license are strictly true; that he has been a bona fide resident of the State of Maryland for the twelve months next preceding his application for said license, and that no non-resident of the State of Maryland is either directly or indirectly interested in the use of said pound net, fyke or haul seine or other con-

trivance used in taking fish for sale, or any boat or vessel used in the prosecution of said fishing, or pound nets, fykes, haul seines, or other contrivances in the taking or catching of fish for sale."

112-A. SPECIAL PROVISION FOR FISHING IN WATERS OF BAY WITHIN FOUR MILES OF SHORE LINE OF ST. MARY'S COUNTY BETWEEN CEDAR POINT AND POINT LOOKOUT; LICENSE REQUIRED; PENALTY. (Text omitted, see Code.)

113. LICENSE BLANKS. The Comptroller of the Treasury shall cause to be printed and delivered to the clerks of the circuit courts for the several counties the requisite number of such blank licenses, and take receipt for the same, and for other licenses furnished; and said clerk shall on the first Monday in July and December of each year, return to the Comptroller a list and account of such licenses issued by them, and at the end of each year shall return all unused blank licenses to him, and shall pay over to the Comptroller all the moneys received by them for such license, which amount the said Comptroller shall place to the credit of the "Oyster (now Conservation) Fund."

114. UNLAWFUL TO SET POUND NETS, FYKE NETS, OR OTHER CONTRIVANCES IN WATERS OF BAY BELOW POOLE'S ISLAND MORE THAN ONE-THIRD DISTANCE ACROSS THE BAY; PENALTIES. It shall not be lawful for any person in taking fishing for sale by the use of pound nets, fyke nets or other contrivances, now known or hereafter invented, to set such pound nets, fyke nets or other contrivance, now known or hereafter invented, in waters of the Chesapeake Bay, within the jurisdictional limits of the State of Maryland and below Poole's Island, in the Chesapeake Bay, at a greater length than one-third the distance across the bay from low water mark on either side, and any person violating this section shall, upon conviction thereof before some justice of the peace of any county of this State most accessible, be fined the sum of not less than twenty nor more than one hundred dollars, or shall forfeit said net or nets, together with the boats and tackles used in the violation of Sections 110 to 118, inclusive, of this Article, or to

be subject to both fine and forfeiture, in the discretion of the justice of the peace trying the same; provided, that the party feeling aggrieved shall have the right of appeal as in other cases tried before justices of the peace; and provided further, that in case of appeal the person appealing shall give to the State of Maryland a good and sufficient bond, covering double the amount of the fine or forfeiture, in case of forfeit, so as to secure to the State the amount of fine and forfeiture, in case he does not prosecute his appeal with effect.

114-A. UNLAWFUL TO SET NETS OF ANY DESCRIPTION IN CHESAPEAKE BAY BETWEEN DRUM POINT AND COVE POINT LESS THAN FIVE HUNDRED YARDS APART OR MORE THAN ONE HUNDRED AND SEVENTY-FIVE YARDS IN LENGTH, INCLUDING WINGS, OR MORE THAN ONE-FOURTH DISTANCE ACROSS BAY. (Text omitted, see Code.)

115. PENALTIES AND FORFEITURES FOR VIOLATION OF SECTIONS 110-118, INCLUSIVE. Any person, firm or corporation violating any of Sections 110 to 118, inclusive, of this Article, by the use of any pound net, fyke net, haul seine or other contrivances now known or hereafter invented, in the taking or catching of fish, shall, on conviction thereof before some justice of the peace of any county of this State most accessible, forfeit said pound net, fyke net, haul seine or other contrivances, now used or hereafter invented for taking fish, together with all boats, vessels and tackle used in the violation of any of said sections, or fined a sum not less than fifty dollars and not more than one hundred dollars, or to be subject to both fine and forfeiture, in the discretion of the justice of the peace trying the case; provided the person feeling aggrieved shall have the right of appeal to the Circuit Court for said county, under the provisions of Section 114.

116. DUTIES OF STATE FISHERY FORCE. It shall be the duty of the Commander of the State Fishery Force to command the deputies under his charge to see that the provisions of Sections 110 to 119, inclusive, of this article are not violated, and to arrest all persons found violating any provisions of said sections, and take the said offender

or offenders to the nearest or most accessible justice of the peace of any of the counties of this State, to be dealt with according to law.

117. FINES TO BE PLACED TO CREDIT OF CONSERVATION FUND. (Text omitted, see Code.)

118. POUND NETS AND STAKE NETS PROHIBITED IN CERTAIN WATERS. The use of pound nets or stake nets shall be absolutely prohibited in the Chesapeake Bay north of Poole's Island, except the bay shore of Kent County up to Howel's Point, at the mouth of Sassafras River, and also on the Susquehanna River (and except on the west side of the Chesapeake Bay from Poole's Island north to one-half mile north of Spesutia Island, on the west side of the bay, not to exceed eight hundred yards from the shore); and any person who shall engage in fishing for sale with the use of said pound nets, stake nets or similar contrivances now used or hereafter invented, in violation of this section, shall be subject to the same fines and penalties as are prescribed in Section 114 of this article; and provided further, that all persons using haul seines and similar contrivances, except pound nets and stake nets, which are hereby prohibited, shall pay the same license and be subject to the same provisions of all sections under the sub-title "Chesapeake Bay," of this article, except gill nets, which are exempted.

119. SHERIFFS AND CONSTABLES OF COUNTIES TO MAKE ARRESTS FOR VIOLATIONS OF SECTIONS 110-118, INCLUSIVE; FORFEITURE AND SALE OF BOAT; DISPOSITION OF PROCEEDS. (Text omitted, see Code.)

120. EXCEPTION. The provisions of Sections 110 to 119, inclusive, shall not apply in any way to the use of the rod, hook and line in taking or catching fish at any time during the year, or gill nets for family purposes.

121. LIMITS OF BAY. The lines defining the headwaters of the Chesapeake Bay at or near the mouth of the Susquehanna River shall be defined as follows: All waters west and south of the following line shall be considered as

belonging to the Chesapeake Bay, to wit: A line drawn from Carpenter's Point, thence to Grove Point; and a line drawn from Grove Point to Howel's Point, but not to include any tributary of said bay.

123. **THRESHING FISH INTO NETS PROHIBITED.** It shall be unlawful for any person or persons to whip or beat the waters of any river, creek, cove, inlet or tributary within the limits of this State with poles, sticks, or any other thing, for the purpose of driving fish into thresh nets, seines, nets, fish-baskets, or any other contrivance for catching fish, and any person violating this section shall be subject to the fines and forfeitures prescribed by Section 115 of this Act. Acts 1916, Chapter 554.

Acts 1917, Chapter 10, authorizes the Conservation Commission of Maryland to construct and maintain two modern fish hatcheries, one for the propagation of salt water fish and the other for fresh water fish.

FISH HATCHERIES.

Acts 1917, Chapter 10, provides that the Conservation Commission of Maryland is empowered to construct two modern fish hatcheries, one for propagation of salt-water or anadromous fish and the other for the propagation of fresh-water fish.

TERRAPIN.

(Code, Article 92.)

1. **CLOSED SEASON; COUNTIES EXCEPTED.** It shall be unlawful for any person to take or catch or have in possession in this State any terrapin between the first day of April and the first day of November in each year; the term terrapin to apply to those known as diamondback or salt-water terrapin, skilpot and sliders. This section shall not apply to Worcester, Somerset, Dorchester, Calvert, Charles, Wicomico and St. Mary's Counties.

2. CLOSED SEASON IN OTHER COUNTIES. It shall be unlawful for any person to take or catch or have in possession in this State any terrapin of a less size than five inches in length on the bottom shell, and no person shall take or catch any diamondback or salt-water terrapin between the first day of May and the first day of July in each year. This section to apply to Worcester, Dorchester, Wicomico and Somerset Counties; and provided that any bona fide dealer or dealers may have terrapin in their possession during said closed season.

3. TERRAPIN EGGS. It shall be unlawful for any person to interfere with or in any manner destroy terrapin eggs.

4. WHO MAY CATCH TERRAPIN. None but *bona fide* residents of this State shall take or catch terrapin therein.

5. PENALTIES. Any person violating any of the preceding sections shall be deemed guilty of a misdemeanor and upon conviction thereof before a justice of the peace of this State shall be fined not less than five nor more than ten dollars for each terrapin so taken or held in possession, or for destroying such eggs; and the terrapin so held in possession shall be confiscated and returned by the officer making the arrest to the public natural waters for terrapin; one-half of all such fines to go to the informer and the balance to the game warden.

6. EVIDENCE. The possession by any person of terrapins between the first day of April and the first day of November shall be conclusive evidence of violation of this article.

7. WHO MAY ARREST. The constable, game warden and officers of the State Fishery Force shall, upon information of any one, arrest any person or persons violating the provisions of this article and take them before the nearest justice of the peace to be dealt with in accordance to the provisions of Section 5.

PART III.

LOCAL LAWS.

GAME AND FISH

Arranged according to Counties in Alphabetical order.

ALLEGANY COUNTY.

FISH.

Acts of 1918, Chapter 327.

SEC. 122. Unlawful to fish in any waters of Allegany County with any seines, nets or weirs or other implements, except as hereinafter provided, from December 1 to June 15; provided that it shall be lawful to catch suckers with a dip net, the mesh of which must be not less than one inch square, or with rod and line and single hook, during the period from February 15 to April 15, inclusive; provided further, that from June 15 to December 1, inclusive, it shall be lawful to take and catch with a dip net, seine or rod and line, minnows or small fish for live bait. Nothing herein contained to prevent propagation of game fish. (Note.—This section permits bass fishing during the entire spawning season.)

SEC. 122-A. Unlawful to take bass under seven inches, pike under 14 inches, white or yellow perch under eight inches, trout under six inches, fall fish under seven inches, or catfish under six inches. (See Article 39, Section 79, of the Code of Public General Laws.)

SEC. 122-B. Unlawful to fish or take fish from any of following streams in said county until April 15, 1920: Mill Creek, Mill Run, Warrior's Run, Rock Gully Creek, Battle Run, Dickenson Run, Marley's Branch, North Branch of Jennings Run, Woodcock Hollow Run and Laurel Run.

SEC. 122-D. Unlawful to take frogs from the waters of said county, except from July 1 to October 1, nor to have more than eight frogs in possession at any one time.

SEC. 122-E. Provides a fine of \$5.00 to \$20.00, and \$1.00 additional for each fish or frog illegally taken.

SEC. 122-F. Non-resident of the State must obtain a license to fish in waters of said county. Apply to Clerk of the Circuit Court, Oakland, Md.; cost, \$5.00. Non-resident land owners can fish on their own lands without a license. Penalty, \$25 to \$50.

GAME.

Acts 1916, Chapter 282.

SEC. 12-B. No person shall expose for sale, sell alive or dead any of the above mentioned game at any time in Allegany County (rabbits excepted). This does not apply to game for the purposes of propagation or for stocking; nor shall this apply to any licensed hunter in said county who shall have game in his possession that was killed by him in the lawful season of another county or State, provided such person has a license from said county or said State and has a right under their laws to bring game from said county or State, and provided that said hunter notifies in writing the Secretary of the Board of Game Wardens of Allegany County on the date after he returns that he has brought into said county such game, a list of which he shall furnish and also the place where killed and the number of his hunting license.

SEC. 12-C. Unlawful for any person to destroy or disturb the nests, eggs or young of the birds mentioned in this Act.

SECS. 13-A, 13-B, 13-C, 14-B, 15-A and 15-C. Relate to local hunting license and the appointment of the Board of Game Wardens, and are repealed by Chapter 468, Acts 1918.

SEC. 15-B. Permits the Board of Game Wardens for Allegany County and all State Game Wardens to make arrests and search without a warrant any person whom they suspect of any violation, and exempts them from all

liability on account of any arrest or trespass made during the discharge of their duties.

SEC. 15-D. No person shall shoot, hurt, take, catch or kill or have in possession in said county any raccoon or possum from April 1st to September 1st.

SEC. 15-E. No person in said county shall set any trap, deadfall, pitfall, snare, steel trap or other device for the taking or trapping of any birds or game mentioned in this Act; nor shall anyone have in his or her possession any ferret or ferrets.

SEC. 15-G. Unlawful to ship for the purpose of selling any of the birds mentioned in this Act, and unlawful for any express or transportation company to ship or accept for shipment any of the birds mentioned in this Act for the purpose of selling. Any express or transportation company shall refuse to accept any game, or package containing game, unless contents and name of shipper are plainly marked thereon.

SEC. 15-H. Unlawful to hunt, pursue or kill any of the birds or game mentioned in this Act on Sunday. A prima facie case if person is found in the fields or woods with a gun on Sunday.

SEC. 15-I. Unlawful in said county to shoot at or kill any pheasant or partridge while it is sitting or while on the ground.

SEC. 15-J. Unlawful for dogs to run at large in said county during the months of April, May, June, July and August, and to pursue, kill, harm, destroy, catch or take any bird or animal mentioned in this Act, or destroy the eggs, nests or young of any such birds or animals. Any person harboring a dog shall be deemed the owner thereof.

SEC. 15-K. Unlawful to hunt upon the lands of any person in said county without written permission obtained from the owner, tenant or person in possession.

SEC. 16-D. Unlawful to interfere with any deputy game warden in the discharge of his duties, or to resist arrest or search.

SEC. 16-E. Provides a penalty of not less than \$20.00, nor more than \$50.00, for the violation of any provision of this Act.

SEC. 17-B. Provides that all fines shall be turned over to

the Treasurer of the Board of Game Wardens of said county, but this is repealed, and one-half of the fine goes to the State Treasurer to the account of the State Game Protection Fund.

SEC. 18-A. Repeals all inconsistent laws herewith.

Acts 1910, Chapter 616.

SEC. 18. Provides a bounty of \$2.00 for every wild cat destroyed, \$1.00 for every fox, and 50 cents for every hawk or hoot owl.

SEC. 19. In order to obtain these bounties one must be a resident, take the hawk or owl, or hide with head attached of fox and wild cat, before a Justice of Peace and make oath that same was killed in said county and that he is a resident of the county.

ANNE ARUNDEL COUNTY.

GAME.

Acts 1918, Chapter 409.

Provides an open season on woodcock in Anne Arundel County from June 10 to August 10. This is, of course, contrary to the Federal Law; besides at this early opening date the birds are hardly old enough to fly.

RACCOON.

Acts 1916, Chapter 367.

Sections 58 and 59, Article 99, Maryland Code, adds thereto two new sections to follow Section 59 of said Article and to be known as 59-A and 59-B.

59-A. Unlawful for any person or persons to trap, catch or kill any raccoon within Anne Arundel or Prince George's County between sunrise and sunset, or have the same in his possession if trapped, caught or killed between the first day of February and the first day of October in each year. Also unlawful for any person to cut a tree at any time for the purpose of catching or dislodging a raccoon.

59-B. Provides a penalty for the violation of same of not less than \$10.00 or more than \$25.00.

NOTE.—Open season on squirrels in this county is November 10 to December 24, inclusive, according to legal opinion of Attorney-General of Maryland.

Acts 1914, Chapter 663.

Prescribes season for ortolan, sora, rail bird or reed bird in Anne Arundel County, or upon the marshes of the Patuxent, Potomac or Patapsco Rivers from September 1st to November 1st.

NOTE.—This Act was approved April 10, 1914, while the Patuxent River Act was approved April 13th, 1914, and repeals this Act as to the Patuxent River.

BLINDS ON SOUTH RIVER.

Acts 1910, Chapter 189.

An Act regulating building blinds in South River.

SEC. 1. Unlawful to erect any booby blind or brush blind between Turkey Point and Sanders Point on the southwest side of South River, or between Marsh Point and Hills' Point on the northeast side of said river without obtaining an annual license for said blind from Clerk Circuit Court.

SEC. 2. Fee for such license shall be \$2.50.

SEC. 3. Unlawful for any person to establish a blind or other obstruction after said blind has been licensed at a point nearer to said licensed blind than 300 yards, and it shall be unlawful for any person to put out decoys within 300 yards of said blind and shoot over them from the natural shores.

SEC. 4. No blind so licensed shall be put over 300 yards from shore in a direct line.

SEC. 5. Fine of \$10 to \$25 for each and every violation. Contains a repealing clause.

All blinds must be 150 yards from shore. Act of 1906, Chapter 301, p. 548.

All blinds on Anne Arundel County rivers must be at least 300 yards apart. See Act 1892, Chapter 582.

FISH.

Acts 1918, Chapter 342.

Section 212, Melvin's Code of Public Local Laws of Anne Arundel County. Shall be unlawful to set, place, construct or use in the waters of South River and tributaries above Saunders Point on the south side and Marsh Point on the north side any pound net or other similar device, nor shall it be lawful to put, place, set, construct or use in any creek or tributary of South River any fyke net or other stationary net or trap, not including, however, gill nets, nor to put, place, set, construct or use any seine, drag net, trap, gill net or any device for the catching of fish during February, March and April in the headwaters of South River from a line drawn from Howard's Point on the west side to Briar Bottom on the east side, and in the headwaters of Beard's Creek, and a line drawn from Holliday's Point on the north side and Sparrows Landing on the south side, and in the headwaters of Broad Creek from a line drawn from Marsh Haul Branch on the north side and Big Rock Haul Point on the south side, nor in the headwaters of any of the creeks of South River for a distance of 400 yards from the head thereof. Fine upon conviction before any justice of the peace of the county not less than \$5.00 nor more than \$20.00 for each offense.

Acts 1916, Chapter 581.

SECTION 1. Unlawful to fish in the Severn River or any creek, cove, tributary or inlet thereof, or to take fish from such waters with any seine, or net, or instrument of any kind except hook and line. Fine \$20.00 to \$50.00.

SEC. 2. Line drawn from Greenbury Point to the extreme end of Horn Point shall mark the mouth of the Severn River and this law shall apply to all the waters of said river and its tributaries above this line.

Acts 1910, Chapter 627.

SECTION 1. Unlawful to fish in Fork Creek with any seine, net, weir or other implement or instrument for catching fish, other than hook and line, and any person who

shall violate the provisions of this Act within five years shall be fined not less than \$50 for each offense.

Acts 1910, Chapter 612.

SEC. 155-B. Provides that anyone who violates any provision of two sections preceding Section 155-B, or who shall expose for sale in Anne Arundel County any white perch under seven inches, any yellow perch under eight inches or any rock under ten inches, shall be arrested, and the boat, seine or other apparatus shall be seized and offender shall be fined \$5 to \$50. One-fourth of fine goes to constable or sheriff making arrest and one-fourth to informer; other half to Board of County Commissioners for school purposes. In default of payment of fine, the seized apparatus shall be condemned and sold to pay said fine and costs. Hand bills announcing sale must be posted ten days previous to sale at place of seizure, court house door and market house at Annapolis, unless owner appear within five days of such posting and redeem the seized property by payment of fines, etc., the property must be sold.

Provides for appeal to Circuit Court and also provides that 5 per cent. of undersized fish is permissible. That is, any person offering fish for sale can legally have in possession at least five undersized fish in every 100.

NOTE.—This bill, where it conflicts with the State Fish Bill, takes precedence over same.

Acts 1910, Chapter 700.

SECTION 1. Unlawful to fish in Fork Creek, a tributary of Magothy River, in any way except with hook and line.

Any person violating this Act within a period of five years shall be fined not less than \$50 for each offense.

BALTIMORE COUNTY.

GAME.

Acts 1918, Chapter 397.

Adds Section 8-A to Article 3 of the Code of Public Local Laws of Maryland. Provides for a closed season of two years from June 1st, 1918, on ring-neck or English

pheasants in Baltimore County. For the violation thereof any person convicted shall be fined the sum of \$10.00 for the first bird taken, or had in possession, and the sum of \$20.00 for each and every bird thereafter.

Acts 1918, Chapter 335.

Repeals Section 110 of Article 3 of Code of 1908, Public Local Laws; sub-title, "Dogs."

NOTE.—This was passed to allow dog kennels to be placed within one mile of Baltimore City on account of the Elkridge Hunting Club.

Acts 1918, Chapter 317.

Any person or persons who shall shoot at or shoot a fox that is being pursued by dog or dogs, or in any manner take from any den a female fox or her young whelps, or kill any such, shall be deemed guilty of a misdemeanor and shall be fined not less than \$25.00 nor more than \$50.00 for each offense. Half of the fine goes to the informer the other half to the Board of County School Commissioners. Nothing in this Article to be construed to prevent the killing of foxes at any time by any person while they are in pursuit of poultry, provided that the killing of said foxes be done within a reasonable time after such pursuit or killing.

Acts 1914, Chapter 338.

SEC. 5. Unlawful to destroy or disturb the nest, egg or young of any of the birds mentioned in preceding sections.

SEC. 8. No person shall shoot, or kill, or take, or have in possession any rabbit, pheasant or partridge between December 20th and November 10th, exclusive of both dates; or upon Sunday, or election day, or when ground is covered with snow. Fine, \$5.00 for each offense, and \$5.00 additional for every bird or animal illegally taken.

SEC. 9. No person, corporation or transportation company shall buy, sell, have in possession, or offer for sale for the purpose of export from Baltimore County, or export from, or carry out of said county, any rabbit, pheasant, partridge, dove or woodcock.

SEC. 11. Unlawful to permit dogs to run at large during the closed season and pursue, kill, harm, destroy or take any bird or animal, the eggs, nests or young. Fine, \$5.00 and cost. Except, however, the owner of dogs shall be permitted to run or train same between September 1st and November 9th, but he must accompany them and must not carry a gun.

SEC. 13. All deputy game wardens and state game wardens are empowered to make arrests and search without a warrant any person suspected of violating this Act and are hereby expressly exempted from liability therefor.

SEC. 14. Provides a bounty of 50 cents for every hawk, owl or weasel taken in the county by a resident.

SECS. 15 and 16. Provide the manner in which said bounty shall be procured.

SECS. 17 to 17-J. Relate to county license and are repealed. Acts of 1918, Chapter 468.

SEC. 17-L. No person shall shoot, kill, pursue or have in possession any raccoon or opossum from February 28th to October 1st, exclusive of both dates, or when the ground is covered with a tracking snow.

SEC. 17-M. No person shall set any trap, deadfall or other device for the taking of wild animals between December 20th and November 10th, inclusive; provided, however, chief game warden may issue a permit to set not more than ten traps or other devices for the purpose of taking minks, weasels, skunk, raccoon, fox, muskrat or opossum.

SEC. 17-N. Nothing in this Act to be construed to prevent persons having game in possession during the closed season for propagation on a permit issued by the chief game warden.

FISH.

Acts 1916, Chapter 319.

Unlawful for non-residents to haul, or to seine, or fish with gill nets, fikes, traps or set nets of any kind in any of the creeks, coves, branches and tributaries of Middle River other than in the river proper without written permission of the owners or occupiers of the shores. Fine, imprisonment for not more than six months, or \$100 fine, or both in discretion of court.

Chapter 144, Baltimore County, Section 2. Unlawful for any person to fish with hook and line from any boat in the waters of Back River, Seneca Creek, Seneca River, Salt Petre River, Middle River and their tributaries from the first of November to the first of February. Fine, \$10.00 to \$30.00 for each offense.

SEC. 3. Provisions of this Act shall not apply to Middle River lying north of a line drawn from Clark's Point on E. Levy's shore to the Maryland Yacht Club point, and that part of Dark Head lying north of the line drawn due east from the Maryland Yacht Club point to Bull Neck shore, and that part of Frog Mortar lying north of a line drawn from West Point on James Hughes' shore to Weiskettle's landing and to Normans Creek and Stansburys Creek, all tributaries of said Middle River; and to that portion of Back River lying west of a line drawn from the end of the wharf on Cherry Grove Farm to Stansburys Point, and to that portion of Seneca Creek lying west of a line drawn from Gun Point on the north to Flying Point on the south side of said creek, and that part of Sue's Creek southwest of a line drawn from the northeasternmost point of Sue's Island to Turkey Point.

SEC. 4. Unlawful for any person to catch or take, or attempt to catch, fish by gigging or spearing in the waters of Back River, Seneca Creek, Seneca River, Salt Petre River and Middle River and their tributaries in Baltimore County at any time. Fine \$10.00 to \$30.00 for each offense.

Acts 1914, Chapter 104.

Unlawful to fish with gill nets, trap or set nets of any kind, or haul seines in the waters of Middle River, Baltimore County, west of a line drawn from Clay Bank on Turkey Point shore southeasterly to the northeasternmost point on Sues Island, and thence in a line running southerly to a marked Rock Oak tree standing on the north side of Holly Neck Farm; and it is also unlawful to fish with gill nets, traps or set nets of any kind or haul seines in Sues Creek * * * west of said line.

Penalty not less than \$25.00 nor more than \$100.00. One-half of fine to informer.

It is unlawful to fish with hook and line in Dundee Creek from November 1st to February 1st.

Penalty, fine of not less than \$10.00 nor more than \$100.00. Acts 1914, Chapter 340.

Chapter 136, Acts 1912, makes it a misdemeanor to catch or take fish in any kind of a device for catching fish, hook and line excepted, in Dundee Creek, Baltimore County, west of a line drawn from Levering's Point to Marshy Point. Fine not more than \$100, and \$10 additional for each day net is left in water.

Chapter 735, Acts 1912, refers to the territory in which fishing with hook and line is permitted under Section 249, Chapter 495, Acts 1908, in tributaries of Middle and Back Rivers, from April 1 to October 10, straightens out the unintelligible language of the old law, and adds Sue's Creek to the territory where fishing with hook and line is permitted at all times.

CAROLINE COUNTY.

BUZZARDS.

Acts 1918, Chapter 94.

Provides that Section 28 of Article 99, so far as the same prohibits the shooting or killing of turkey buzzards shall not apply within the limit of any incorporated town in Caroline or Talbot Counties, thereby making it lawful to kill such birds in such towns.

Acts 1916, Chapter 450.

Repeals Chapter 788 of Acts of 1906. Makes it unlawful to kill any manner any fox in Caroline and Carroll Counties except, when same is destroying poultry, or killed by hounds in a hunt. Fine not less than \$25.00 nor more than \$50.00.

FISH.

Public Local Laws, Article 6, Section 140. Unlawful for persons other than resident voters of Caroline, Dorchester and Talbot Counties to take fish in the waters of said counties. See also Sections 142 to 146.

CECIL COUNTY.

GAME.

Acts 1916, Chapter 383.

SEC. 387. No person shall gun for wild water fowl northward of a line described in Section 380, but three days a week to January 1, during open season as fixed by Section 381 and three days prior to January 1, shall be Monday, Wednesday and Friday; on and after January 1 they shall be Monday, Wednesday, Friday and Saturday; each of said days shall be one hour before sunrise to sunset. Fine, \$50.00 to \$100.00. See Harford County, Acts 1918. Chapter 89.

Acts 1914, Chapter 39.

Prohibits shooting, trapping or killing in any manner of muskrats between March 1st and December 1st.

Also prohibits taking muskrats in any manner, except "by trapping."

Penalty, \$10.00 fine.

Unlawful to gun for wild water fowl or shoot at or kill north of the line described in Section 380 (which line is as follows: North of Turkey Point lighthouse in Cecil County and drawn westward to a point one-half a mile north of the northerly part of Spesutia Island, thence continuing said line westward within one-half a mile of and north of the northern end of said island and the adjacent mainland and until it reaches the shore in Harford County at or near Oakington), but three days in each week until the first day of January during the season for shooting * * * those days being Monday, Wednesday and Friday, and after January 1st on Monday, Wednesday, Friday and Saturday.

Penalty for violation, fine \$50.00 and not more than \$100.00

Lawful to anchor any sink box, sneak boat or any other vessel or craft on the waters north of the line named in Section 380 after 4.30 P. M. on gunning days.

Penalty for violation, fine of \$50.00 to \$100.00.

Power boats are required to muffle their exhausts so as not to disturb water fowl.

Penalty for violation, fine of \$25.00 to \$50.00. One-half of fine goes to officer making arrest and other half to party assisting.

Acts 1914, Chapter 649.

See also State season law and Federal regulations.

Under the Act of 1914, Chapter 464, it is unlawful to be upon premises of another with a trap, snare or human device for catching fur-bearing animals, without the written permission of the owner.

Penalty, fine of not more than \$20.00 nor less than \$10.00.

Acts 1910, Chapter 449.

(These ducks, however, cannot be killed in Elk River below a straight line drawn across the river from Plum Point to Locust Point, nor beyond the mouth of any of small creeks flowing into said river; nor shall said ducks be shot from any boat, vessel or craft of any kind.)

It shall further be unlawful for any person or corporation to sell, offer or expose for sale, or take out of Cecil County in any manner any game mentioned in this section at any time, excepting rail birds, reed birds, blackbirds, snipe, rabbits or ducks. Blackbirds may be killed at any season flying over or feeding upon grain fields.

Provides that it shall be a part of the duty of Cecil County constables to assist in enforcing the provisions of this Act, and their official bond shall stand for their faithful performance of this duty.

SEC. 38-C. Makes it unlawful to hunt, shoot, trap or kill any birds or game mentioned in Act when there is sufficient snow on the ground to see tracks of same, *and suspends the open season during such time when snow is on the ground.*

SEC. 38-D. Provides that a person violating any of provisions of Act shall be deemed guilty of a common nuisance and upon conviction before any Cecil County justice of peace shall be fined not less than \$5 nor more than \$25 in each and every case or offense. For failure to pay fine shall be committed to jail for not more than 30 days.

SEC. 38-E. Unlawful to shoot on election day held in the month of November.

SEC. 38-F. Requires the Circuit Court for Cecil County to call attention of the Act to the Grand Jury at the regular sessions of said court.

Especially exempts the Susquehanna Flats from provisions of this Act. Contains a repealing clause. See Harford County for laws of 1918, Chapter 92, in relation to Susquehanna Flats.

NOTE.—Local Fish Law permits pound net fishing in Elk, Sassafras and Bohemia Rivers from August 1 to June 10.

CALVERT COUNTY.

GAME.

Acts 1894, Chapter 586.

Citizens of Calvert County shall have the same privilege of shooting on the Patuxent River as citizens of Anne Arundel and Prince George's Counties.

Acts 1902, Chapter 493.

Unlawful to ship or attempt to ship out of county, or to sell for purpose of shipping, any rabbit, partridge or woodcock taken in the county.

See also "Patuxent River."

Acts 1918, Chapter 409.

Squirrel season in said county, November 10 to December 24, according to opinion of Attorney-General of Maryland.

CHARLES COUNTY.

GAME.

Acts 1918, Chapter 432.

No. person or corporation shall at any time kill or expose for sale, transport or have in possession any partridge or quail, woodcock or rabbits, after the same has been killed within Charles County for any purpose, except for

consumption or food within Charles County; nor kill, expose for sale, or have in possession any of the above-named game with the intention of sending or transporting, or having the same sent or transported out of said county. Provided nothing herein contained shall prevent the barter or sale of such game by the person or persons who trap, catch, shoot or kill such game directly to the consumer within Charles County; and also nothing herein contained shall prevent non-residents of the State who have taken out a license to hunt in said county from taking with them out of said county any of the above-named game which they may have killed within the limits thereof.

MUSKRATS.

Acts 1914, Chapter 362.

Prohibits all persons from shooting muskrats in Nanjemoy Creek and tributaries with a light. Penalty for violation, \$10 to \$20.

CARROLL COUNTY.

GAME.

Acts 1914, Chapter 187.

It is unlawful to buy, barter, sell or offer for sale, ship or export from Carroll County any partridge, quail, pheasant, dove, squirrel or woodcock.

Bona fide guests of land owners may take as personal baggage, exposed to view, 10 partridges or quail, 3 pheasants, 12 squirrels, 6 woodcock and 12 dove; or a non-resident, under a license, may carry away with him the same number of pieces of game for his own use, but not for sale.

Penalty for violation, fine of not less than \$1.00 or more than \$5.00 for each piece of game bought or sold.

For Fox Law, see Caroline County, Acts 1916, Chapter 450.

For Fish Law, see Frederick County, Acts 1912, Chapter 634.

DORCHESTER COUNTY.

GAME.

Acts 1918, Chapter 117.

Provides that the season for quail, partridge, rabbit and woodcock shall be from the tenth day of November to the first day of January; and the squirrel season from the first day of September to the first day of January; and the dove season from the fifteenth day of August to the first day of January; and woodcock from the first day of August to the first day of January. This law takes precedence over the State-wide Upland Game Season, as it was signed by the Governor after Chapter 409. It merely extends the open season from December 24th to January 1st.

NOTE.—Federal Law has closed the season on wood-duck until September 1, 1920.

Acts 1918, Chapter 123.

Provides that it shall be unlawful to hunt or kill or have in possession any raccoon in said county between March 15th and November 10th, both days excluded. Upon conviction before either justice of the peace or the Circuit Court the violator shall be fined not less than \$25.00; to be enforced by the game warden of the State or county.

Acts 1918, Chapter 440.

Section 35-D, of Public Local Laws, Article 10. No person shall hunt any quail, partridge or rabbit during any closed season with dog or gun, and no person shall hunt or kill any quail, partridge, woodcock, dove, squirrel or rabbit with dog or gun on Sunday. No person shall shoot or catch any such animals and birds when snow is on the ground, except, however, an owner or owners of dog or dogs, between October 25th and November 9th, exclusive of both days, shall be permitted to run or train his dog or dogs, provided he accompanies them, but in so doing he shall not be hunting or permitted to carry a gun. Any person or persons who shall permit or harbor any dog to remain on or about his or their premises shall be deemed

the owner of such dog or dogs. Penalty, \$25.00 to \$100.00 and costs.

Acts 1918, Chapter 278.

SEC. 34-A-1. Unlawful for any person to shoot, trap, catch, kill or hunt for any English or Mongolian pheasant, Bohemian partridge, Hungarian partridge or ruffed grouse until the opening of the lawful gunning season of the year 1920.

SEC. 34-A-2. Unlawful in Dorechester County for any person to sell or offer to sell for the purposes of reselling any of the game birds enumerated in the foregoing section, or of any quail or rabbit whatsoever that it may be lawful to hunt for or kill during the legal open season. Also unlawful for any person, partnership or corporation to resell any part of the body or bodies of the aforesaid birds and animals. Provided, however, nothing herein shall be construed to prevent any person, firm, partnership or corporation from having in possession any of above mentioned for the purpose of preservation and propagation, and nothing herein shall prevent the person who shall first kill or catch any quail or rabbit from selling same, if sold, not to be resold.

GAME.

Acts 1912, Chapter 219.

Provides that no shipment of game, except ducks, can be made out of the county, but persons can carry out as personal baggage, and not for sale, 12 partridges, 6 rabbits, 6 woodcock, 6 squirrels and 6 doves. Prohibits the killing of any game with gun too large to be handled from the shoulder. Makes it unlawful to trap at any time any waterfowl, quail, woodcock, dove or squirrel, or have in possession any trap for such purpose. And no person shall at any time molest any eggs or nests of herein mentioned birds. Illegal to hunt quail or rabbit with dogs during closed season.

Fine, \$10 per bird or animal shipped, had in possession or killed contrary to law.

Twenty-five dollars to one hundred dollars fine for use of big gun and confiscation of gun; \$5.00 fine for hunting

with dog or gun in closed season. Unlawful to shoot above game on Sunday or when snow is on the ground.

Justices of peace and Circuit Court have concurrent jurisdiction. Approved April 8th.

Acts 1912, Chapter 363.

Makes it unlawful to catch fish in Chicacomico River, Dorchester County, with a haul seine. Fine, \$20.00 to \$50.00 and costs.

WILD FOWL.

Acts 1914, Chapter 767.

Citizens of Hooper's Island or Election District No. 6 may shoot wild fowl from sink boats or sink boxes in Honga River and Tar Bay—that part of Tar Bay north of a line drawn from the southern end of the bridge between the Upper and Middle Hooper's Island due west until it strikes the Barren Island Bar.

Citizens of the Neck or Election District No. 8 may erect, set or maintain booby blinds, stake blinds or similar artificial blinds on a line drawn from Mills Point in a north-eastward direction in the waters of Brannocks or Trippes Bay to the southeast corner of what is known as the Great Flats, and from thence to what is known as Weir Point or Orchard Marsh, said blinds to be not less than 300 yards apart.

All citizens of Dorchester County may, in the waters of said county, use blinds (except in the waters last above mentioned) 300 yards from the natural shore and 500 yards apart. License for same (issued by the Clerk of the Circuit Court), \$5.00.

Penalty, fine of not less than \$10.00 nor more than \$100.00.

MUSKRATS.

Acts 1912, Chapter 46.

Prohibits the trapping, shooting or killing any muskrats or otter in Dorchester County between April 1, 1912, and January 1, 1913, or between March 15, and January 1,

each and every year after 1912. This is Section 188, Article 10, Public Local Laws, for which Article see for penalty for violation of this Section.

CROWS.

Acts 1910, Chapter 167.

SECTION 1. Provides that any person killing a crow in Dorchester County shall be entitled to a bounty of five cents for each crow.

SEC. 2. Must produce head before a justice of peace and make oath that same was killed within county, and he shall then issue a certificate stating same and shall destroy the head.

SEC. 3. Provides the power for the County Commissioners to pay the bounty.

FISH.

Acts 1910, Chapter 541.

SEC. 185-F. The owner or occupier of land on either side of Transquakin River or any tributary thereof within a line drawn from Irish Creek to Transquakin Point to the head of the river shall have the exclusive right to select half the area covered by said waters in front of the property extending to, but not beyond, the middle of said river, for the purpose of setting nets of any kind or description, provided that any resident of said county other than the owner or occupant may demand in writing that he or they intend to set any nets, and upon receipt of such notice the owner or occupant must give said applicant a definite answer in fifteen days, and forthwith proceed to exercise the right to set said nets. Upon failure to do so the resident giving the notice shall have the right to set such nets in said area, provided, however, that fike nets, trap or set nets shall not be less than 200 yards apart.

SEC. 185-G. Provides a fine of not more than \$50.00.

Acts 1912, Chapter 363.

Unlawful to use haul seine or take fish with seine, or have it in the waters of Chicacomico River. Fine, \$20.00 to \$50.00.

Acts 1910, Chapter 518.

An Act to repeal Section 173 of Article 10, Public Local Laws, to re-enact with amendments.

SEC. 173. Unlawful for any person not bona fide resident of Dorchester County to fish with seines, gill nets, fykes, traps, pound nets or set nets of any kind in any waters of Dorchester County.

Nothing herein to prevent residents of Talbot County from fishing in waters of Choptank River that are not used in common by residents of Talbot and Dorchester, or residents of Wicomico from fishing in waters of Nanticoke River now used in common. And nothing in this Act to apply to waters of Tangier Sound within limits of Somerset.

NOTE.—No penalty provided in this Act, but Section 174 Public Local Laws, Article 10, provides a penalty for violation of Section 173 of \$5.00 to \$50.00, and forfeiture of seine, boat and other apparatus which covers it.

Unlawful to use gill or gilling nets in the waters of Fishing Bay or Transquakin River north of a line drawn from Blackwater Point to Irish Creek, up the Transquakin River to Destroys Creek, or to set or fish weirs or other nets more than 300 yards from the shore, etc.

It is also unlawful for a non-resident to set any net or weir in any of said waters.

See Acts 1915, Chapter 316.

Unlawful to fish in Blackwater River with any trap, the use of which is lawful, of less than three-inch mesh. Penalty, fine not less than \$10.00 nor more than \$100.00.

Unlawful to use a haul seine or seine of any description,

See Acts 1914, Chapter 316.

or put net in Transquakin River and its tributaries, White Hall Creek, Hursts Creek, Shoal Creek and Jenkins Creek.

Penalty, fine of not less than \$25.00 nor more than \$100.00. See Acts 1914, Chapter 347.

See also Caroline County.

FREDERICK COUNTY.

GAME.

Acts 1916, Chapter 404.

SEC. 9. Unlawful to trap, shoot or take in any manner any ruffed grouse, ring-necked pheasant, wild turkey or rabbit in said county between the twenty-fourth day of December and the tenth day of November; nor upon any Sunday, or election day, or when the ground is covered with snow; or any snipe between May 1st and September 1st. Unlawful to snare or trap any partridge, pheasant or rabbit. Unlawful to sell at any time in Frederick County, or offer for sale, or ship out of said county, either directly or indirectly, any partridge, pheasant, squirrel, woodcock or snipe taken in said county. Unlawful to set any trap for muskrat, skunk, fox, raccoon, mink or possum between March 1st and November 15th; also unlawful to sell any rabbit taken in said county.

SEC. 10. Relates to local hunting license and is repealed by Acts 1918, Chapter 468.

SEC. 11. Unlawful to take or have in possession in any one day more than eight rabbits, ten squirrels, two jack-snipes, three pheasants or five woodcock. Fine, \$5.00 for each bird or animal killed in excess of said limit.

SEC. 12. Possession of any birds or animals mentioned in Section 9 shall be prima facie evidence that the same was taken in said county.

SEC. 13. Any person violating Section 9 shall be fined not less than \$10.00 nor more than \$50.00

SEC. 14. Unlawful to hunt or trap on any land in Frederick County, except timber lands not enclosed, without written permission to do so. Fine, \$10.00 to \$100.00.

SEC. 15. All game wardens, constables and the sheriff are authorized to arrest without warrant, and they are empowered to search and demand the opening of any box, game bag, trunk, suit-case, barrel or receptacle of any house, room or apartment; and provides a fine of from \$50.00 to \$100.00 for refusal to open when requested.

MUSKRATS.

Acts 1916, Chapter 128.

Unlawful for any person to catch or trap, or hunt any fur-bearing animals such as mink, fox, skunk, raccoon or possum in Frederick County between the first day of March and the fifteenth day of November.

SEC. 2. Permits the land owners to protect property from the ravages of said animals.

SEC. 3. Permits night hunting for possum and raccoon with dogs at any time in the year.

SEC. 4. Provides a penalty of \$20.00 to \$50.00 for each offense, one-half fine to person securing conviction, other half to State Treasurer account of Game Protection Fund.

QUAIL.

Acts 1916, Chapter 96.

SECTION 1. Closes the season on quail or Bob White in Frederick County until November 10th, 1921.

SEC. 2. Unlawful to have said birds in possession during said closed period.

SEC. 3. Fine of \$25.00 to \$100.00 for each offense; one-half of fine to person procuring the conviction, the other half to State Treasurer to account of State Game Protection Fund.

SEC. 4. Nothing in this Act to be construed to prohibit the raising or breeding of quail in said county. Approved April 18, 1916.

FISH.

Acts 1916, Chapter 404.

SEC. 2. Makes it unlawful to catch any black bass in Frederick County from the first day of December until the first day of June, and then only with rod, hook and line. Unlawful to take any black bass under nine inches.

SEC. 3. Unlawful to catch or have in possession any brook trout from the waters of Frederick County, except during April, May and June, and then only with rod, hook

and line. Unlawful to take said brook trout less than six inches.

SEC. 4. Unlawful for any person to take or possess any fish of any kind, except brook trout and bait fish, from the waters of Frederick County from the fifteenth day of April until the the first day of June in every year.

SEC. 5. Unlawful to take any fish in Frederick County with any kind of seine, or net, or gig, or any other contrivance, except bait fish nets not over three feet long at any time, and dip nets between March 15th and April 15th.

SEC. 6. Unlawful for non-resident to take any fish in the waters of said county without a license. License is issued by the Clerk of Circuit Court and costs \$5.00, \$4.50 of which shall go to the State Treasurer to account of State Game Protection Fund, to be used by the State Game Warden.

SEC. 7. Prohibits the use of explosives and poisons in the waters of said county for the purpose of taking any fish.

SEC. 8. Provides a fine of \$10 to \$25 for each offense committed in violation of Sections 2, 3, 4, 5. and \$25 to \$50 for Section 7.

Acts 1914, Chapter 3.

Prohibits taking out of the county and bass bait "known as scale bait, stony cats or mad toms," unless taken from the owners of enclosed ponds.

Penalty, fine of \$5.00 and not more than \$25.00.

Acts 1910, Chapter 672.

This Act amends Article 11 of Code Public Local Laws of Frederick County by adding two new sections to be known as Sections 126-A and 126-B.

SEC. 126-A. Makes it unlawful to catch, kill or destroy or take in any manner any fish from Bush Creek in said county, except with rod, line and hook, baited with natural bait, artificial fly or spoon or spinner.

SEC. 126-B. Provides a fine of not less than \$5 nor more than \$30 for each fish taken contrary to the provisions of previous section, upon conviction before a justice of peace, and for commitment to jail in default of payment of fine. One-half of all fines is to be paid to original

informer, and other half to the Maryland Fish Commissioner for purpose of restocking the streams of Maryland.

FREDERICK AND CARROLL COUNTIES.

Acts 1912, Chapter 634, repeals and re-enacts Chapter 642, Acts 1910. It makes it unlawful to catch black bass and brook trout in waters of Frederick County and Carroll County, excepting during June, July, August, September, October and November and only with hook and line. Does not apply to Potomac River. Unlawful to fish with nets of any kind except dip nets and minnow nets for catching bait. Fish baskets are unlawful. Non-residents of the State are required to have a license to fish; cost, \$5. Unlawful to have in possession any bass or trout under six inches; fine, \$25 to \$50. Failure to obtain license, \$10 fine.

GARRETT COUNTY.

GAME.

Acts 1912, Chapter 480.

Repeals and re-enacts Section 1 of Chapter 6, Acts 1908, and provides that no person shall kill, expose for sale, transport or have in possession any pheasant, partridge, woodcock or wild turkey for any other purpose than for consumption as food within the State of Maryland. Cannot export same out of Maryland. Any person having aforesaid game in possession out of season to be fined \$50 to \$1.00 for each bird or animal. Licensed hunter can carry out with him his game.

The penalty provided for in Chapter 6, Acts 1908, is not repealed and is in full force.

Unlawful to trap or ensnare any rabbit in Garrett County at any time.

Unlawful to sell or expose for sale or ship or transport out of said county any pheasant, partridge, woodcock or wild turkey. Provided it shall be legal to buy and sell rabbits and to ship them out provided they are shipped openly with their hind legs tied together.

Any non-resident hunter shall be permitted to carry out with him not more than six birds of any of the above enumerated kinds.

Fine. \$50 to \$100.

FISH.

Acts 1914, Chapter 49.

SECTION 1. Prohibits catching brook trout or other trout from any stream which has been stocked with trout or had fish placed in them from the State Fish Hatchery for two years from April 1, 1914.

SEC. 2. Prohibits non-residents from any fishing without a license, the cost of which is \$5.00.

Penalty, fine of not less than \$5.00 nor more than \$50.00.

HARFORD COUNTY.

GAME.

Acts 1918, Chapter 92.

Relating to wild fowl on the Susquehanna Flats. Re-enacts Section 300-A of Article 13. Provides that any person during the gunning season as fixed by Section 279 shall be allowed to anchor any sink box, sneak boat or other vessel on the Susquehanna Flats after 4.30 A. M. on Monday, Wednesday or Friday prior to January 1st, or on Monday, Wednesday, Friday and Saturday after January 1st during the open season, and before the morning of the day next succeeding each of the days above specified for the purpose of procuring a berth. Such licensed sink box, sneak boat or vessel lying northward of the line district in Section 278 shall be required to only display lights on said crafts as required by the Federal Laws. Fine for violation not less than \$25.00 nor more than \$100.00. Half of said fine goes to the officer making the arrest and the other half to be paid to those assisting him. Justices of the peace of Cecil and Harford counties and the Circuit Courts of same shall have concurrent jurisdiction.

Acts 1916, Chapter 307.

SEC. 38. Unlawful for any person at any time to shoot or pursue the following named birds in Harford County (the list herein given covers most of the song birds which are all protected by both the State-wide and Federal laws). It adds, however, the following game birds: dove, wild turkey, pheasant, ruffed grouse and ring-necked pheasant.

SEC. 39. Unlawful to disturb or destroy the eggs of any of the birds protected by Section 38.

SEC. 40. Provides a penalty of not less than \$2.00 and not more than \$10.00 for each offense. All fines collected to be paid to the informer.

SEC. 41. Possession of any of the birds shall be a prima facie case. It is the duty of all constables, police officers, sheriffs, deputy sheriffs, chief game warden or deputy game wardens to enforce this law.

SEC. 42. Provides for an open season in said county on rabbit, partridge and woodcock from November 10th to December 24th, inclusive. Prohibits the shooting of said game on Sunday, or election day, or when the ground is sufficiently covered with snow to track such game. No person shall shoot, hunt, pursue or injure in said county any raccoon from December 1st to October 1st, inclusive, or when the ground is covered with snow so they may be tracked.

SEC. 42-A. No person, corporation or transportation company shall buy, sell, have in possession, or offer for sale, for the purpose of export from said county, or export from or carry out of said county, any rabbit, partridge, quail, squirrel or raccoon. Nothing herein intended to prohibit a bona fide licensee or owner, lessee or tenant from taking out of the county for private use during the open season not more than 10 partridges, 5 woodcocks, 10 jack-snipes, 6 rabbits, 1 jack-rabbit, 8 squirrels or 50 railbirds.

SEC. 42-B. No person shall set any trap, deadfall, pit-fall, snare, steel trap or other device for the taking of wild animals, except muskrats, in said county between the twenty-fourth day of December and the fifteenth day of November, exclusive of both dates.

SEC. 42-C. It shall be unlawful for any owner of dog

to permit same to run at large during the closed season, and pursue, kill, harm, destroy or catch any game or animal mentioned herein, or the eggs, nests or young of same. Any person harboring a dog shall be deemed the owner thereof. Owners may train their dogs between September 1st and November 10th, provided he accompanies them and carries no gun.

SEC. 42-D. Unlawful to take, or kill, or have in possession more than ten partridges, five woodcocks, ten jack-snipes, six rabbits, one jack-rabbit, or eight squirrels in any one day, nor more than fifty railbirds per time. (Approved May 4, 1918.)

SEC. 43. Any person, partnership or corporation violating any provision of five preceding sections shall, upon conviction, be fined \$5.00 for each offense and \$5.00 additional for every game bird and animal killed, trapped, bought, sold or had in possession; or had in possession for the purpose of export or transported, bought or sold for export, or carried out of said county.

SEC. 44. Illegal to trespass with dog, gun or trap upon any private property in said county. Fine, \$5.00 and costs.

SEC. 44-A. Provides for a local license system for said county which is repealed by the Acts of 1918, Chapter 468.

SECS. 44-B, 44-C, 44-D, 44-E, 44-F, 44-G, 44-H, 44-I, 44-J, 44-K, 44-L, 44-M, 44-O, 44-P. All relate to the local license system of Harford County and to the appointment of the local game wardens and are repealed by the Acts of 1918, Chapter 468.

SEC. 44-N. Nothing in the Act to be construed to prevent the possession of game for the purpose of propagation, provided such person shall first secure from the Chief Game Warden from said county written permission to

51. 31.

SEC. 45. Provides that an appeal from a decision of a justice of the peace within ten days to the Circuit Court for Harford County.

SEC. 46. Provides for the disposition of the fines and is repealed by Acts 1918, Chapter 468. Approved May 4, 1916.

Acts 1916, Chapter 89.

SEC. 285. No person shall gun for wild water-fowl on the Susquehanna Flats but three days in each week until the first day in January during the open season for shooting same and those days shall be Monday, Wednesday and Friday. From January 1st until end of the season the days shall be Monday, Wednesday, Friday and Saturday. Each of said days shall be between one hour before sunrise and sunset, and said time shall not include any part or period of night. Fine for violation of same not less than \$50.00 nor more than \$100.00. See Cecil County, Acts 1916, Chapter 383.

Acts 1914, Chapter 365.

Also provides for anchoring sink box, sneak boat or any other vessel or craft after 4.30 A. M. of the day preceeding a gunning day, but such lights must be displayed as the Federal Law requires. Must muffle exhaust so as not to disturb wild fowl.

Penalty for shooting other than times mentioned, fine of not less than \$50.00 nor more than \$100.00. For failure to show proper lights, fine of not less than \$50.00 nor more than \$100.00.

Penalty for failure to muffle exhaust, fine of not less than \$25.00 nor more than \$50.00.

FISH.

Acts 1914, Chapter 556, makes it unlawful to catch or kill sturgeon for ten years in the Chesapeake Bay and tributaries.

Penalty, fine of \$50.00 for each sturgeon. See State-wide Fish Law.

Under Acts 1914, Chapter 816, prohibits fishing in Romney Creek between October 1st and February 1st, and prohibits at all times hoop, fyke, purse, buck and pound nets, fish pots and fish baskets.

Penalty, not less than \$10.00 nor more than \$50.00 fine.

Acts 1914, Chapter 366, amends the general law by providing that one-half of the cost of constructing fish ladders

upon dams in Harford County, now in existence, shall be paid by County Commissioners.

Acts 1910, Chapter 141.

This Acts adds two new sections to Article 13, Code of Public Local Laws, title Harford County, sub-title "Fish," to be known as 132-A and 132-B.

SEC. 132-A. Provides that no person who is not a bona fide resident of Harford County shall fish in the Bush and Gunpowder Rivers within said counties with nets or traps of any description, except, however, that nothing in the Act shall prevent owners, renters or leasors of land bordering on said waters from catching fish with nets.

Does not apply to non-resident hook and line fisherman.

SEC. 132-B. Provides for arrest of violators and conviction under usual procedure, and for payment of a fine of not less than \$25 nor more than \$50 for each violation of the provisions of Section 132-A.

SEC. 132-C. One-half of fines to be paid to Commissioners of Fisheries of Maryland to be used for protection of fish and other half to informer.

Acts 1912, Chapter 393, Makes it unlawful to fish in Swan Creek with buck net, hauling seine or stake net from July 15 to September 20. Fine, \$10 to \$25.

KENT COUNTY.

GAME.

Acts 1918, Chapter 337.

Repeals and re-enacts Section 217-B of Article 15, Code of Public Local Laws, sub-title "Wild Fowl." Unlawful to shoot wild fowl in or over the waters of Kent County, except from the shore and natural islands, except that it shall be lawful for the citizens of said county on Monday, Friday and Saturday, during the open season, to shoot wild fowl in Comegy's Bight (a tributary of the Chester River) from a stick blind not to be erected over 400 yards from the shore, and to shoot such wild fowl in said Comegy's Bight from a boat or float placed in such blind;

and it shall be unlawful to erect any such stick blind within 400 yards of one already so erected, except when it may be necessary to chase crippled wild fowl previously shot from such blinds. Further makes it unlawful to shoot wild fowls, otters, muskrats or other water animals by the use of any light in any part of Kent County; also makes it unlawful to shoot wild fowl over the waters of Chester River and tributaries in the jurisdiction of Kent County above a line drawn from Cliffs to Spaniards Point, except on Monday, Friday and Saturday. Fine for violation, not less than \$5.00, nor more than \$50.00. Half of fine to be paid to the informant.

MUSKRATS, OTTER AND RACCOON.

Acts 1902, Chapters 264 and 503.

State Law—Open season, January 1st to April 1st.

FISH.

Acts 1906, Chapter 527.

Prohibits hauling seines in any waters of Kent County without permission of owners of land bounding on said waters.

Acts 1890, Chapter 89. Lawful for owners of land on Sassafras River and tributaries, from Luke's Point to head of River, or to any person to whom they extend the privilege, to take fish from pound nets from August 1st to June 1st; said nets shall not extend across any channel nor obstruct the passage of any vessel, nor shall any seine, or net, be used that has meshes less than one and one-quarter inches square; no stake or post to be used more than five inches in diameter; nor shall such stake remain in water except during above period. Must obtain permission from owner of land bordering on said waters, nor to place any net so as to obstruct the hauling of any seine upon established fishing shores. Penalty, \$20 and forfeiture of seine, boat and materials. (Same season in waters of Cecil.)

Public Local Laws, Article 15. Unlawful to leave stakes in the water when it is unlawful to fish. Unlawful for non-residents of Kent and Queen Anne's County to use any boat or trap of any kind to fish in Chester River and tributaries. Persons owning land may lease by written contract, under seal and recorded, allowing non-residents to fish; does not apply to hook and line. Penalty, \$20.00 to \$50.00. Unlawful for others than residents of said counties to haul seine in any of the waters without permission of the owners, or occupiers of the land on said waters. Unlawful for non-residents of said counties to dredge for terrapins. Penalty, \$10 to \$50.00.

QUEEN ANNE'S COUNTY.

GAME.

Acts 1912, Chapter 768.

Provides that it shall be unlawful to shoot wild fowl in this county, except from the shore or natural island, and not from any boat, except licensed sink boxes and booby blinds, which blinds shall be not over 100 yards from shore. Booby blind licenses issued by Clerk of the Circuit Court and cost \$2.50, and provides how such blind shall be placed in order to secure the position.

Unlawful, however, to shoot from boat, sink box or booby blind in Chester River and tributaries, Queen Anne's County, above Melton Point. Fine, \$10 to \$25.

FISH AND TERRAPIN IN COX'S CREEK AND KENT ISLAND NARROWS.

Acts 1910, Chapter 697.

Section 1 of this Act makes it unlawful for any person to use haul seines, drag nets, scrapes or any other contrivance in catching fish or terrapin (fykes, gill nets and hook and line excepted) in Cox's Creek and tributaries in Queen Anne's County north of a line drawn from the wharf of Salmers Oyster House on Kent Island westerly until it strikes the shore of John M. Cockey at Jones Hole. And also in the waters of Kent Island Narrows in said county

lying south of a line drawn from Ferry Point on the west side of Long Point on the east side, and north of a line drawn from Buck Horn Point on west side of Cedar Point on the east side.

Provides for a fine of not less than \$25 nor more than \$100, with usual provisions for imprisonment in case of non-payment of fine and costs. Also provides for a right of appeal within 10 days from date of conviction.

Chapter 501 (Act 1912) repeals Chapter 697, Acts 1910, which law prohibited haul seines, etc., in Cox's Creek and Kent Island Narrows.

See also Kent County for fishing in Chester River.

MONTGOMERY COUNTY.

SHOOTING ON SUNDAY.

Acts 1910, Chapter 119.

This Act makes it unlawful to hunt with gun or rifle or other instruments for killing game on Sunday. Fine of \$10 for violation. One-half to informer and other half to public schools.

Carrying on Sunday of gun or rifle by persons off his own premises constitutes a *prima facie* case.

Acts 1912, Chapter 438.

This is a new game act for Montgomery along the old lines. It makes it unlawful to kill any bluebird, thrush, martin, mocking-bird, barn swallow, lark, oriole, redbird, catbird, chipping sparrow, wren, pewitt, goldfinch, sap-sucker, hanging-bird, woodpecker, flycatcher or tanager at any time, and unlawful to either disturb or destroy the eggs or young of said birds. Fine, not more than \$5.00.

Unlawful to take any raccoon or possum between January 15th and October 15th, nor any muskrat between March 1st and November 15th.

Unlawful to trap or ensnare any game birds or animals.

Unlawful to track when snow is on the ground.

Unlawful to sell for the purpose of carrying out of the county, or to trap or shoot any quail, woodcock or rabbit except for consumption or food within said county.

Bounty on hawks, 40 cents.

Prohibits dogs running at large; fine, not more than \$5. Residents of the county to receive bounty of 40 cents for hawks, provided the County Commissioners see fit to pay, and publish the fact in one newspaper.

PRINCE GEORGE'S COUNTY.

GAME.

SECS. 616-17. It is unlawful for a non-resident of Prince George's County and of Anne Arundel County to "hunt, shoot, kill or destroy," or trap any birds within the limits of said counties without a permit from the landowner.

Penalty for violation, fine of \$5.00 and forfeiture of gunning and shooting apparatus.

SEC. 618. Under this section the possession of a dead bird is prima facie evidence of a violation.

SEC. 622. It is unlawful for any person to hunt upon the lands of another, with or without gun or dogs, except upon the written consent of the landowner. Penalty for violation, \$10.00.

SEC. 626. Provides for possession of partridges, quail or pheasants for breeding purposes.

It is unlawful to hunt, shoot or trap muskrats on the Patuxent River, its tributaries or marshes in Aquasco District, between March 15th and January 1st, or to spear the same at any time.

Penalty for violation, fine of from \$5.00 to \$25.00.

Acts 1910, Chapter 688.

SEC. 270. Provides for a bounty of 30 cents for each hawk head, same to be paid by the County Commissioners upon certificate from a justice of the peace.

See Acts 1916, Chapter 367, Anne Arundel County, for raccoon in Prince George's County.

FISH.

SEC. 266. It is unlawful to catch, trap or kill any trout, bass or salmon, except with hook and line, in the Eastern

Branch of the Potomac River, and the Western Branch of the Patuxent River, between August 15th and May 15th.

It is unlawful to fish in the Patuxent River, between March 1st and May 1st, above a line drawn from Claggett's Landing on the Prince George's County side to Lerch's Mill on the Anne Arundel County side, or in the coves, creeks or tributaries of said river in Prince George's County, with any set net, fish basket or fish instrument for catching fish; provided, however, that any resident of Prince George's County may erect any pot, fish trap, set line, weir, weirs, pound net or fyke, or any or all of the same, during spawning season, by leaving a space of not less than fifteen feet between the end of such net, etc., and the shore on one side of said river or its tributaries. Penalty, fine of \$25.00 for the first offense and \$50.00 for each subsequent one.

Acts 1894, Chapter 64.

It is unlawful to "set, place, construct or use any nets (known as pound nets) in the Patuxent River, between the head of the river and Holland Point Wharf, less than 500 yards apart.

Penalty for violation, not more than \$100.00.

Acts 1910, Chapter 208.

NOTE.—The references, unless otherwise noted, are to the Local Code of Prince George's County of 1912.

PATUXENT RIVER AND TRIBUTARIES.

WILD FOWL, SNIPE, ORTOLAN, REED BIRDS AND MUSK-RATS, ETC.

Acts 1914, Chapter 315.

SEC. 3. Provides that any person who wishes to push, paddle or convey hunters on said river or its tributaries must, before doing so, secure a license from the Clerk of the Circuit Court of the county in which he resides, the cost of which is \$2.50. A violation of this section is punishable by a fine of not less than \$10.00 nor more than \$50.00 for each offense.

SEC. 5. Provides that a non-resident shall not shoot or trap on said waters any such bird or fowl without the written permission of the landowner of the land adjacent to such water or marshes. A violation of this section is punishable by a fine of not less than \$5.00 or more than \$25.00 and costs.

SEC. 6. Provides that bona fide members of any hunting club, incorporated and organized before January 1, 1912, owning or leasing real estate within one mile of said river and improved by a clubhouse, shall be considered bona fide residents of Maryland, but they must exhibit, when demanded by an officer of the law, a membership card. See also Acts 1908, Chapter 574, page 270.

SEC. 7. Provides that it shall be unlawful for any person to shoot muskrat, wild fowl or game birds of any description on said waters from sunset to sunrise. A violation of this section is punishable by a fine of not less than \$5.00 or more than \$25.00 and costs.

See also Calvert, Charles and Arundel Counties.

PATUXENT RIVER AND TRIBUTARIES BETWEEN ST. MARY'S AND CALVERT COUNTIES.

FISH.

Acts 1918, Chapter 406.

SEC. 29. Unlawful to set, place, construct or use any pound net, fyke net, trap net, sunken net or stake net of any kind, or any device for catching fish in any part of the Patuxent River, from Queen Anne Bridge on said river down said river to a straight line drawn across the mouth of said river, from Drum Point Lighthouse in Calvert County to Hog Point in St. Mary's County nearer than 500 yards in every direction from any other net or device, or of greater length than 175 yards below a straight line from Truman's Point Wharf across said river to a point on the shore directly opposite said wharf, or of a total length of more than 50 yards above said straight line from Truman's Point Wharf.

This section does not apply to hook and line fishing, floating gill nets, purse nets or seines. Nothing herein con-

tained to prevent taking of carp of any size or description.

SEC. 30. Unlawful to use or haul any seine or gill net or purse net in any part of said river with a smaller mesh than is prescribed in Section 23 (which is two square inches), or in any creek or tributary of said river less than 200 feet wide at its mouth.

SEC. 31. It is unlawful to catch fish except for food.

SEC. 32. Provides for issuance of permit to fish by justice of the peace.

SEC. 33. Provides for the arrest of violators, seizure of boats, etc.

Penalty, three months in House of Correction (minimum) and not more than one year, or fine of from \$50.00 to \$100.00.

The same provision is made for Chesapeake Bay between a straight line drawn from Drum Point Lighthouse in Calvert County to Hog Point Lighthouse in St. Mary's County, and a straight line drawn from Cove Point Lighthouse in Calvert County to Cedar Point Lighthouse in St. Mary's County.

Penalty of not less than \$100.00 or more than \$300.00 and forfeiture of boats, nets, etc.

· SOMERSET COUNTY.

MUSKRATS.

Acts 1918, Chapter 251.

Repeals Section 8 of Chapter 219, Acts of 1916. Makes it unlawful for anyone to shoot or kill by shooting any muskrat in Somerset County, or have in possession the hide of any muskrat so killed. Any muskrat hide perforated with holes having the appearance of shot or bullet holes shall be prima facie evidence that it was from a muskrat so killed. Fine of not less than \$10.00 nor more than \$100.00 for any offense. Half of said fine to go to the informant.

See Worcester County Acts 1918, Chapter 266, for Somerset Fox Law.

FISH.

Acts 1910, Chapter 378.

SEC. 119. Unlawful for any person, except a resident of Somerset, to fix, set or stake out any sort of gill net, stationary or floating, or any device for catching herring, shad, or other fish in the waters of Monie Creek or its tributaries within the county. Nothing in Act to be construed to prevent citizens of Wicomico County from using the waters of Wicomico River in common with citizens of Somerset.

SEC. 124. Unlawful, except by citizens of Somerset, for any person to use any patent twine, weirs, pound nets or hedges for the taking of fish in said county. Nothing herein to be construed to prevent the citizens of Wicomico from using the waters of Wicomico River in common with citizens of Somerset.

ST. MARY'S COUNTY.

Squirrel Season.—No closed season according to opinion of the Attorney-General. See Acts 1918, Chapter 409.

TALBOT COUNTY.

For fox law see Caroline County. Acts 1918, Chapter 450. See Caroline County, Acts 1918, Chapter 94, for turkey buzzard law.

GAME.

Acts 1914, Chapter 717.

Game shipment prohibited.

Bag limit to be taken out of the county: 12 quail or partridges, 6 rabbits, 6 woodcock, 6 squirrel, 6 doves and 12 ducks at one time, but game shall not be carried out for the purpose of sale.

Prohibits traps, nets or snares.

Penalty, fine of \$10.00 for each game bird or animal. Acts 1914, Chapter 717.

Acts 1912, Chapter 722.

Dickinson's Bay.—Makes it unlawful for any person at any time to shoot wild fowl from any blind or sink box over 200 yards from the shore, measuring from mean low water mark. Unlawful for anyone to place any blinds less than 500 yards apart.

Residents of county only allowed to have blinds, and they must obtain a license from Clerk of the Circuit Court; cost, \$5. No person or club shall have more than two licenses. If blind is lost or washed away, it must be replaced in 10 days or lose his set. Shore owners have first choice of sets, provided they mark same 20 days previous to opening of season; fine, \$50 to \$100.

OTTER AND MUSKRATS.

Chapter 785 (Acts 1912) provides that it shall be unlawful to shoot, trap or take or have in possession any otter, muskrat, or hide or skin of same, between March 15 and December 15, inclusive. Dealers, however, can have the hides in possession between March 15 and March 31, inclusive, in Talbot County.

Unlawful to shoot or take in any manner, except trap, any muskrat or otter between sunrise and sunset; unlawful to dig into or destroy any muskrat house. Fine, \$10 for each offense and forfeiture of boat or other apparatus.

FISH, TERRAPIN, CRABS.

Acts 1910, Chapter 667.

SEC. 114. It shall be unlawful to take or destroy any fish in Talbot County except as provided in the following sections.

SEC. 115. It shall be lawful to catch fish in Miles River and tributaries, Wye and tributaries and Great Choptank and tributaries (in Talbot County) with gill nets or hook and line at any time. Lawful to catch fish in Skipton Creek with haul seines from August 1st to May 20th following. Unlawful to set any net so that it will extend over one-half way across. Lawful a catch fish in all other

waters of the county at any time with hook and line. Lawful to catch fish in all waters of county not already mentioned with gill nets, fykes, haul seines, drag nets, fish baskets, fish pots and pound nets from the first day of August to the twentieth day of May following. Mesh in all such seines, nets, pounds and fykes must be not less than one and one-half inches in the bar.

SEC. 115-A. Persons violating provisions of Section 115 are liable to a fine of \$20 and confiscation of nets and appliances, which shall be sold at public auction by officer making arrest. Proceeds of sale to go to County Commissioners to credit of public schools. One-half of fine goes to informer and other half to warden making arrest.

SEC. 115-C and D and E. Unlawful to take or have in possession any terrapin less than five inches in length on bottom shell, and unlawful to destroy or interfere with the eggs of same, and none but residents of the county can catch terrapin therein at any time.

SEC. 115-F. Fine, \$5 for each terrapin illegally held or taken or destruction of eggs. Terrapins so illegally had are to be confiscated and liberated. One-half fine goes to game warden; no provisions made for disposal of other one-half.

S53. 115-G. Possession of terrapin traps, snares, nets or devices for capturing terrapin between April 1st and November 1st shall be conclusive evidence of violation.

SEC. 115-H. Sheriff, deputy sheriff, constables, game wardens and officers of State Fishery Force shall, upon information, arrest any person for violating provisions of this article and take him before nearest justice.

SEC. 115-I. Unlawful for any but citizens and residents of county, who have resided in said county for twelve months, to take or catch crabs with scoops, scrapes or trot lines in tributaries of Great Choptank in Talbot County.

SEC. 116. Fine of \$25 for each violation of Section 115-I, and stand committed to County Jail until fine and costs are paid.

WASHINGTON COUNTY.

GAME.

Acts 1916, Chapter 320.

Sections 34 to 34-L, except 34-I, relate to local county hunting licenses, trespass, etc., and are repealed by Acts 1918, Chapter 468.

SEC. 34-I. Unlawful to trap any game, except that rabbits may be caught during the open season in box traps; and muskrats, skunks, minks, possums and otter may be caught in any manner during December, January, February and March.

Acts 1912, Chapter 816.

Makes it unlawful to shoot, kill, or catch, or trap, or shoot from a blind or bait with grain any wild birds, except hawks, owls, English sparrows, ducks, geese, wild pigeons, jacksnipe, cedar birds and rail. Unlawful to kill or trap deer at a lick, or kill with anything except a rifle. Unlawful to kill, catch, trap or destroy doves, woodcock, partridges, Hungarian quail, pheasants, ruffed grouse, wild turkey, deer, rabbits, squirrels; except quail, pheasants, partridges and turkeys, from November 10 to December 24, inclusive, and doves from August 15 to December 24, inclusive; and squirrels, August 25 to October 1 and November 10 to December 24. Use of ferrets for rabbits prohibited at all times. Penalty is set forth in Section 34. Acts 1908, Chapter 708.

No open season for deer.

Unlawful to sell or attempt to sell any game at any time, whether killed within this State or out of it.

NOTE.—This Act void in so far as it conflicts with State season law and Federal regulations.

GAME PRESERVES.

Acts 1912, Chapter 784.

Provides for a certificate to be issued by the State Game Warden permitting the raising of game, and giving the

right to sell same alive for propagating purposes, under certain restrictions. The bill goes very fully into the tagging and shipping of game and provides penalty. (Seven sections.)

FISH.

Acts 1914, Chapter 577.

Prohibits taking out of the county any live bass bait known as scale bait, stony cats or mad toms.

Penalty, fine not less than \$10.00 nor more than \$50.00.

WICOMICO COUNTY.

GAME.

Acts 1918, Chapter 379.

Amends Article 23 of Code to the Public Local Laws by adding two new sections known as 2-A and 2-B.

2-A—Makes it unlawful for any person in Wicomico County at any time to shoot or in any manner kill or catch, except by trapping, any muskrat; unlawful for any person to dig for muskrats or to dig into or in any manner destroy or molest the roof or other part of a muskrat house; also unlawful for any person to have in possession any muskrat or hide that has been shot at or into or killed in any manner except by trapping.

2-B—Provides, upon conviction before any justice of the peace of said county, the violator shall be fined \$10.00 for each offense, or sent to jail for not more than 30 days, or both. Any muskrat illegally killed, and any muskrat house or den illegally molested, and any skin so shot shall be deemed a separate offense.

Open season on muskrats, otter and raccoon, January 1 to March 31, inclusive. (Acts 1902, Chapter 503.)

Acts 1918, Chapter 323.

No person, corporation or company shall at any time kill or expose for sale, transport or have in possession any partridge, quail, woodcock or rabbits, after the same has been killed within Wicomico County for any purpose, ex-

cept for consumption or food within said county; nor kill, expose for sale or have in possession any of the above-named with the intention of sending or transporting beyond the limits of said county. Provided that nothing herein contained shall prevent the barter or sale of such game by the person or persons who trap, catch, shoot or kill such game directly to the consumer within said county; provided also that nothing herein shall prevent non-residents of the State who had taken out a license to hunt in said county from taking with them out of said county any of the above-named game which they may have killed within the limits thereof.

Acts 1916, Chapter 91.

SECTION 1. Unlawful to shoot, trap or kill, or hunt for any kind of pheasant in Wicomico County until November 10th, 1921.

SEC. 2. Fine of not less than \$25 nor more than \$100 for each offense. One-half of fine to person securing conviction, and other half to State Treasurer to the account of State Game Protection Fund.

FISH.

Acts 1912, Chapter 727.

Makes it unlawful for any person, excepting residents of Wicomico County, to fish in the waters of the county with any patent twine nets gill nets, float seines, weirs, pound nets or hedges; fine, \$25 and confiscation of outfit. Provided nothing herein contained shall interfere with citizens of Wicomico and Somerset Counties from fishing in Wicomico River, or citizens of Wicomico and Dorchester Counties from fishing in Nanticoke River in common.

WORCESTER COUNTY.

Fox.

Acts 1918, Chapter 266.

Makes it unlawful to dig out in any manner any female fox or young, or kill in any manner such female fox

or young during the breeding period. Fine of not less than \$10.00 nor more than \$50.00, or imprisonment for a term not exceeding ten days for any female fox so dug out or caused to be killed. Half of fine to go to the informant. Nothing in this Article shall be so construed as to prevent the killing of foxes at any time while they are in pursuit or in the act of killing or carrying away poultry; and provide further that such persons may be permitted to kill such fox or foxes within a reasonable time after the pursuit, killing or carrying away of said poultry.

This law is also for Somerset County.

MUSKRAT, OTTER AND MINK.

Acts 1910, Chapter 239.

SECTION 1. Provides that no person shall trap, shoot or in any manner catch, kill or wound any muskrats, otter or minks in Worcester County between the first day of March and the fifteenth day of December in each and every year.

SEC. 2. Provides that any person convicted before justice of the peace of violating the provisions of previous sections shall be fined \$20 to \$30, with usual provisions for imprisonment in case of non-payment of fine. One-half of fine goes to informer and other half to County Commissioners for School Fund.

SEC. 3. Provides that any person found trespassing upon the lands or marshes of another, with intention of catching or shooting any muskrats, otter or minks without permission of owner, shall be fined \$10 to \$20. Same disposition of fine as Section 2.

FISH AND TERRAPIN.

Acts 1914, Chapter 279.

Provides for the issuance by the Clerk of the Circuit Court of a license to any person, non-resident of the State, or to a firm, stock company or co-partnership composed of persons in whole or in part of non-residents of the State, and to any corporation other than those incorporated under the laws of this State, who wishes to take or catch fish for

market or profit in the waters of the Atlantic Ocean within the jurisdiction of the State of Maryland, in Worcester County, with a purse net, pound net, fyke net, gill net, haul seine, sturgeon net, skirt net, or other similar device. The license fee runs from \$1.00 to \$100.00, according to the kind of net used.

Penalty, fine of \$10.00 and not more than \$200.00 for each day or fraction of a day.

Acts 1910, Chapter 350.

SEC. 179. Provides that no person other than bona fide residents of the State of Maryland shall catch clams or terrapin in the Sinepuxent Bay or its tributaries in Worcester County. Provides fine of \$10 to \$50 for each offense and forfeiture of all boats and other apparatus used in such violation, and in case of failure to pay fines shall be imprisoned for not more than thirty days.

SEC. 180. No person other than an actual resident of the county or a taxpayer with property standing in own name, assessed at \$1,000 or over, or unless he takes out a license as herein provided, shall haul for or catch fish with any seine or set net of any description in Sinepuxent Bay or its tributaries within the county. No person shall fish in said waters with nets of any description containing meshes less than one and one-half inches square, excepting during July, August, September and October, when this section shall not apply to fatbacks or crocus.

SEC. 181. Provides a penalty of \$10 and imprisonment from 10 to 60 days in case of non-payment of fine.

SEC. 182. A non-resident of the county who is not a taxpayer shall obtain a license to fish with seines and nets in Sinepuxent Bay and tributaries within the county, for which he shall pay \$100.

SEC. 183. It shall not be lawful for any non-residents of Maryland to take or catch or plant oysters in Sinepuxent Bay or tributaries in county, or to rake or catch clams or terrapins in said waters.

SEC. 188. It shall be the duty of the sheriff, State Game Warden or deputy warden or constable to arrest, with or without warrant, any person, and to seize and take into custody any canoe, boat or vessel whenever and wherever

such person or boats are found violating or being used in violation of any of the provisions of this article, and bring the offender before a justice of the peace or judge of Circuit Court of the county.

SEC. 199. Any person violating any of the provisions of the three preceding sections shall be deemed guilty of a misdemeanor; fine, \$5 to \$10 or imprisonment not exceeding 30 days until costs are paid.

SEC. 200. Upon information given under oath to any magistrate of the county of any violation of any provisions of said sections the magistrate shall issue his warrant for the arrest of offender and the seizure of the seine used in the violation, which warrant shall be directed to the sheriff or State Game Warden or deputy game warden or constable, requiring the offender to be brought before him; also seines used, whether the owner of same be known to him or not.

MEMORANDUM.

Attention is called to the following decisions of the Court of Appeals of Maryland in regards to possession of game out of season. The Court has held that unless the statute specifically says that game killed out of the State is included by the statute, that it will be legal to possess game out of season, provided it is shown that same was killed out of Maryland. It is, therefore, always necessary to say in every law relating to possession of game during the closed season, "whether the same was killed in this State or in any other State," or words to that effect. The State laws so read, having learned by experience, but the majority of the county laws fail to properly cover this point, and the game warden is often called upon to prosecute a hopeless case.

See—

Stevens vs. State, 89 Md. 671.

Mt. Vernon Co. vs. Frankford Co., 111 Md. 568.

Dickhaut vs. State, 85 Md. 460.

T. D..

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LIST OF OPEN SEASONS FOR STATE.

BIRDS ¹ —Partridge ² , Quail ² , Pheasant,	
Grouse, Turkey, and Woodcock.....	Nov. 10-Dec. 24.
Snipe ³	Nov. 1-Jan. 31.
Plover ⁵	Aug. 15-May 1.
Reedbird, Railbird, Ricebird, Ortolan.	Sept. 1-Nov. 1.
Doves	Aug. 15-Dec. 24.
GAME ¹ —Rabbit.....	
	Nov. 10-Dec. 24.
Squirrel ⁴	} Aug. 25-Oct. 1. Nov. 10-Dec. 24.
Raccoon, Otter and Muskrat.....	
	Jan. 1-Apr. 1.
Elk and Deer.....	} Closed until June 1, 1922.

WILD FOWL⁵⁻⁶—

Duck, Goose, Swan and Brant..... Nov. 1-Mar. 15.

¹Shooting birds or game prohibited on Sundays or between sunset and sunrise, except as stated in Note 6.

²Partridge and Quail not to be killed in Frederick County until November 10, 1921. Dorchester, November 10 to January 1.

³Thus fixed by Federal Law.

⁴Attorney General's opinion holds open season for squirrels under general and local laws to be as follows: Anne Arundel, Calvert, Charles, Prince George's and Talbot Counties, November 10 to December 24. Allegany County, September 15 to December 24. St. Mary's County, open all year round. All other counties, August 25 to October 1, and November 10 to December 24. Dorchester, September 1 to January 1.

⁵Federal law fixes open season for all wild fowl from November 1-January 31, inclusive, and for Plover and Yellow-legs from August 16 to November 30. Summer or Woodduck season closed until September 1, 1920.

⁶In Cecil and Harford Counties wild fowl on Susquehanna Flats may lawfully be killed only on Mondays, Wednesdays and Fridays from November 1 to January 1 and on Mondays, Wednesdays, Fridays and Saturdays from January 1 to end of season. All days to be reckoned from one hour before sunrise until sunset. Federal law $\frac{1}{2}$ hour before sunrise until sunset on all migratory game.

LATEST FEDERAL REGULATION.

(Affecting Maryland, becoming effective Sept. 1, 1918.)

REGULATION 4. CLOSED SEASONS ON CERTAIN GAME BIRDS.
Regulation 4 is amended so as to read as follows: "A closed season shall continue until September 1, 1920, on the following migratory game birds: Band-tailed pigeons, little brown, sandhill, and whooping cranes, *wood duck*, *swan*, *curlews*, *willet*, and all *shorebirds* except black-bellied and golden plovers, Wilson snipe or jacksnipe, woodcock, and the greater and lesser yellowlegs."

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